

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

**CR No.1771 of 2017
Date of Decision:12.12.2017**

Harnek Singh

...Petitioner

Versus

Kamla Rani (now deceased) through LRs and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. J.S.Cooner, Advocate for the petitioner.
Mr.G.P.Singh, Advocate for respondents No.2 to 4.

ANIL KSHETARPAL, J. (ORAL)

Plaintiff-petitioner is in the revision petition against the order dated 2.3.2017, dismissing the application for amendment of the plaint.

Plaintiff-petitioner claims to be a bonafide purchaser, pursuant to the sale-deed dated 15.2.1980. Plaintiff has already pleaded that he purchased the property for valuable sale consideration. Now by way of amendment, the plaintiff wants to take a plea of bonafide purchaser.

Taking into consideration that the plaintiff has already started his evidence, the court has dismissed the application.

Plaintiff has already pleaded that he has purchased the property through sale-deed dated 15.2.1980 after paying valuable sale consideration. As per Order 6 Rule 2 of the Code of Civil Procedure, the pleadings have to be concise. Only facts are required to be noted. The evidence is not required to be pleaded.

Taking into consideration that the plaintiff has already pleaded the factum of purchase of the property through sale-deed dated 15.2.1980

for valuable sale consideration, in the considered opinion of this Court, no further amendment is required. The plaintiff would be permitted to lead evidence on the plea of bonafide purchaser and the court would not decline to grant relief to the petitioner only on the ground that there is no pleading to that effect.

In view of the above, the instant revision petition is disposed of.

12.12.2017
mks

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No