

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

CR No.2498 of 2017

Date of decision: April 06, 2017

Nirmala Devi

...Petitioner

Versus

Baru Ram and others

...Respondents

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Vikas Kumar, Advocate
for the petitioner.

JASPAL SINGH, J.(ORAL)

By virtue of the instant civil revision petition preferred under Article 227 of Constitution of India, petitioner has sought setting aside the impugned order dated 15th November, 2017 (Annexure P-6) passed by Civil Judge (Junior Division), Mohali in Civil Suit No.154T/28.08.2012/15 whereby an application for amendment of written statement has been dismissed and further to permit the amendment of written statement by adding a preliminary objection to the effect that suit is bad for mis-joinder of necessary parties.

Undisputably, the written statement was filed by the petitioner/defendant before the trial Court on 8th January, 2013 and subsequently, an application for amendment of written statement was filed which was also allowed and in pursuance thereof, an amended written statement was filed on 20th December, 2016. The evidence of the plaintiff has already been closed and now the suit is stated to be listed for the evidence of the petitioner/defendant. Even the proposed amendment was not

statement was earlier filed. In the facts and circumstances of the case, this Court is of the considered view that petitioner does not deserve any concession and at this stage, cannot be allowed to take the proposed objection by way of an amendment of the written statement.

Accordingly, the instant petition stands dismissed.

April 06, 2017
m. sharma

(JASPAL SINGH)
JUDGE

Whether Speaking/Reasoned : Yes/No

Whether Reportable : Yes/No