

Civil Revision No.4148 of 2017

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

Civil Revision No.4148 of 2017

Date of decision: 03.07.2017

Kamaljit Kaur and others

.....Petitioners

versus

Mukhvinder Kaur

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: - Mr. Manuj Nagrath, Advocate, for the petitioners.

RAMENDRA JAIN, J. (ORAL)

Challenge has been laid in the instant revision petition under Article 227 of the Constitution of India to order dated 20.04.2017 (Annexure P-5) passed by the trial Court dismissing application of the petitioners under Order 6 Rule 17 of the Code of Civil Procedure for amending their written statement.

Learned counsel contended that the application of the petitioners under Order 6 Rule 17 CPC for amendment of their written statement has wrongly been dismissed by the trial Court simply on the ground that the trial has commenced. The petitioners intended to bring on record some additional facts regarding execution of sale deeds dated 16.05.2000 and 11.05.2000 in favour of petitioners No.2 and 3 by Bachan Singh, who is none else, but father of respondent/plaintiff, for effective adjudication of the case.

Heard.

Undisputedly, the case is at initial stage. Fact of execution of

sale deeds by father of the respondent/plaintiff may have some relevance at

Civil Revision No.4148 of 2017

the time of final adjudication of the suit. Therefore, in the interest of justice, order dated 20.04.2017 (Annexure P-5) is set aside and the trial Court is directed to take the amended written statement of the petitioners on record incorporating the above facts and frame issues afresh, if needed, to adjudicate the matter effectively.

Disposed of accordingly.

(Ramendra Jain)
Judge

July 03, 2017
R.S.

Whether speaking/reasoned Yes/No

Whether reportable Yes/No.