

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

-.-

Civil Revision No. 6214 of 2017

Date of decision: 14.09.2017

Yadwinder Kaur

..... *Petitioner*

Versus

Karnail Singh and others

.....*Respondents*

Coram: Hon'ble Mrs. Justice Rekha Mittal

-.-

Present: Mr. Satbir Rathore, Advocate
for the petitioner

-.-

Rekha Mittal, J.

The present petition directs challenge against order dated 27.07.2017 (Annexure P6) passed by the Civil Judge (Junior Division) Dasuya whereby application of the petitioner/defendant for amendment of the written statement to raise a plea that there is material alteration in the original agreement to sell dated 28.12.2010 by way of change of the year from 2011 to 2012 has been dismissed.

Counsel for the petitioner has submitted that in case the proposed amendment is not allowed, it would cause serious prejudice to the petitioner in seeking complete and effective adjudication of the matter in controversy.

I have heard counsel for the petitioner and perused the paper book particularly the order impugned.

The trial Court, on a detailed consideration has disposed of the application with the observations, recorded in para 12, quoted hereunder:-

“12. Lastly, even if there is any such forgery or fabrication in the document as alleged in application, there is no need to amend the written statement for this clarification which he can point out from evidence otherwise. Moreover, the applicant is free to argue on the point of readiness and willingness of her late mother in executing such a document, which would again cover his ground of forgery as averred in application.”

The petitioner shall be entitled to take benefit of the observations made in para 12 at the time of final disposal of the suit. However, I do not find any error much less illegality in the impugned order warranting intervention. Accordingly, the petition fails and is dismissed in limine.

(Rekha Mittal)
Judge

14.09.2017
mohan bimbura

Whether speaking/reasoned: Yes/No
Whether reportable : Yes/No