

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

CR No.6847 of 2016

Date of decision : 10.11.2017

Ram Karan

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Vikram Singh, Advocate and
Mr. Abhinav Sood, Advocate for the petitioner.

Mr. Ram Partap, AAG, Haryana.

Mr. Vishal Garg, Advocate for respondent No.3-HSIIDC.

Mr. Naren Partap Singh, Advocate for respondent No.6.

ANIL KSHETARPAL, J. (ORAL)

The plaintiff-petitioner is in revision petition against the order dismissing the application for permission to amend the plaint.

It is not in dispute that the trial has started and the plaintiff has already availed numerous opportunities to lead evidence. The trial Court has observed that when the last opportunity was given to the plaintiff to conclude his entire evidence on the next date, he filed this application.

Still further, a look at the original plaint filed by the plaintiff would prove that the plaintiff had sought following relief:-

“It is, therefore, prayed that a decree for declaration to the effect that the alleged above said false reports, review order and subsequent order whereby canceling the legal mutations no.6245 and 6269 are illegal, null and void, not binding on the right of plaintiff as owner in possession of the suit land and a further decree for permanent injunction

restraining the defendants from interfering in the lawful possession of plaintiff over the suit land described in para no.1 of the plaint and also from putting the suit land on auction/sale, may kindly be passed in favour of plaintiff and against the defendants with costs.”

Subsequently, the plaintiff wanted to elaborate upon the pleadings which had already been taken by the parties. As per Order 6 Rule 2 CPC, the pleadings are required to be concise. Order 6 Rule 2 CPC is extracted as under:-

“2. Pleading to state material facts and not evidence.- (1)
Every pleading shall contain, and contain only, a statement in a concise form of the material facts on which the party pleading relies for his claim or defence, as the case may be, but not the evidence by which they are to be proved.

(2) Every pleading shall, when necessary, be divided into paragraphs, numbered consecutively, each allegation being, so far as is convenient, contained in a separate paragraph.

(3) Dates, sums and numbers shall be expressed in a pleading in figures as well as in words.”

The evidence is not required to be pleaded.

In view thereof, there is no scope for interference in the impugned order passed by the trial Court.

Revision petition is dismissed. However, the plaintiff would be at liberty to lead evidence in accordance with law.

10.11.2017

Pawan

**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned:- **Yes/No**

Whether reportable:- **Yes/No**