

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

CR-1783-2014 (O&M)

Date of decision : 21.5.2018

Mahant Baba Paramjit Singh

..... Petitioner

Versus

Mohinder Singh and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Navjot Singh Wahniwal, Advocate for the petitioner.

Mr. Amit Jain, Advocate for respondent No. 1.

1. *Whether the Reporters of local newspaper may be allowed to see the judgment ?*
2. *To be referred to the Reporter or not.*
3. *Whether the judgment should be reported in the digest ?*

KULDIP SINGH J. (ORAL)

Impugned in the present revision petition is the order dated 17.2.2014, passed by learned Additional Civil Judge (Senior Division), Moga, vide which while deciding the two applications for amendment of the plaint under Order VI Rule 17 of the Code of Civil Procedure, 1908, one application was partly allowed and the second application was dismissed.

Heard.

Taking up the second application first, it comes out that plaintiff want to rephrase para No. 14 of the plaint. However, learned trial Court found the said existing paragraph is very much coherent and intelligible. Therefore, the amendment was disallowed.

I do not find any illegality or infirmity in the said view taken by the trial Court. Hence, the order qua second application is affirmed.

Now coming to the first application, though the proposed amendment was allowed except paras No. C and D. In para No. C, plaintiff want to mention that there are some institution and certain villages. After giving the names of the villages, '*etc.*', is mentioned, leaving it open to add the name of the other villages. It is sought to be claimed that said institutions are subsidiary of the main Dera, meaning thereby that the plaintiff claiming to be mohtmim of the Dera and will have control over the said institutions. No name of the institution is given nor any detail is mentioned. The amendment is otherwise vague. Said amendment was well within the knowledge of the plaintiff when he filed the suit. Therefore, the amendment qua paras No. C and D was rightly declined.

Therefore, no ground to interfere in the order dated 17.2.2014, passed by learned Additional Civil Judge (Senior Division), Moga is made out.

Dismissed.

(KULDIP SINGH)
JUDGE

21.5.2018
preeti

Whether speaking / reasoned
Whether Reportable:

Yes
No