

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

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CR No.2177 of 2018 (O & M)
Date of Decision:03.04.2018

Hardev Singh and another

...Petitioners

Versus

Pappa Singh and another

...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Sandeep K. Sharma, Advocate
for the petitioners.

ANIL KSHETARPAL, J.(Oral)

Plaintiffs-petitioners are in the revision petition against the order passed by the learned trial Court dated 16.11.2017 dismissing the application under Order 6 Rule 17 of the Code of Civil Procedure for amendment of the plaint.

Plaintiffs want to amend their plaint on the ground that during the pendency of the suit, defendants have encroached upon the land of the plaintiffs. The learned trial Court had dismissed the application on the ground that trial has started and the application has been filed after a period of more than 2 years.

In the considered opinion of this Court, the trial Court is bound to notice the subsequent events and if after examining the evidence, the Court comes to a conclusion that during the pendency of the suit, the defendants have encroached upon the land of the plaintiffs, the Court would be entitled to mould the relief and grant necessary relief.

In view of the aforesaid, revision petition is disposed of.

03.04.2018
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(ANIL KSHETARPAL)
JUDGE