

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

213

CR No.5627 of 2014 (O & M)
Date of Decision:07.03.2018

Jaggar Singh

...Petitioner

Versus

Gurvinder Singh and another

...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. N.S. Diwana, Advocate
for the petitioner.

Ms. Neha Sharma, Advocate
for respondent No.1.

ANIL KSHETARPAL, J.(Oral)

Plaintiff-petitioner is in the revision petition against the order dismissing the application under Order 6 Rule 17 of the Code of Civil Procedure seeking amendment of the plaint.

The learned trial Court has noticed that the issues were framed on 13.12.2011 and the plaintiff after availing several opportunities to lead evidence, on 23.07.2013 suffered a statement that the plaintiff be given one last opportunity to complete his evidence, thereafter, no evidence was produced and the application for amendment was filed. The Court held that the proposed amendment cannot be allowed at this stage.

With the assistance of learned counsel for the parties, I have gone through the application for amendment of the plaint. In the considered opinion of this Court, the amendment sought for is only in the nature of evidence. Pleadings have to be concise as per Order 6 Rule 2 of the Code of Civil Procedure. Plaintiff wants to assert that there was an affidavit

submits that inadvertently such affidavit was not made part of the pleadings.

Needless to say that the evidence is not required to be pleaded.

The Court would examine the evidence, which has been produced by the plaintiff. According to the learned counsel for the petitioner, the affidavit has already been exhibited on the file.

In view thereof, the revision petition is disposed of.

07.03.2018

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(ANIL KSHETARPAL)
JUDGE

Whether Speaking/Reasoned: Yes/No

Whether Reportable : Yes/No