

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

**CR No.6746 of 2017 (O&M)
Date of Decision:25.04.2018**

Jaimal Singh

...Petitioner

Versus

Kartar Singh and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr.Ramesh Sharma, Advocate for the petitioner.

ANIL KSHETARPAL, J. (ORAL)

Defendant-petitioner is in the revision petition against the order dated 28.8.2017 passed by the learned trial court, dismissing an application for amendment of the written statement.

The court below has noticed that the trial has started and the plaintiff have also concluded their evidence. The court has further found that the application has been filed just to delay the proceedings.

This Court has heard learned counsel for the parties.

Learned counsel for the petitioner-defendant has submitted that the petitioner wishes to take defence that the property is ancestral and coparcenary and has come by inheritance from his forefathers.

A look at the written statement originally filed establishes that the defendant pleaded that the property was transferred in his favour by his grandfather. Amendment after the commencement of trial is not permissible in the normal circumstances as provided under the proviso to Order 6 Rule 17 of the Code of Civil Procedure. Still further, the pleadings have to be concise as provided under Order 6 Rule 2 of the Code of Civil Procedure. Hence, no ground for interference is made out.

The present Civil Revision petition is dismissed. Pending application(s), if any, shall also stand disposed of.

25.04.2018
mks

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No