

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

**CR No.1974 of 2016(O&M)
Date of Decision: 13.08.2019**

Devinder Kumar

....Petitioner

Versus

Karnail Singh

.....Respondent

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present:None.

RAJ MOHAN SINGH, J.(Oral)

[1]. This revision petition has been preferred against the order dated 06.02.2016 passed by the Additional District Judge, Bathinda vide which the application filed by the defendant under Order 6 Rule 17 CPC for amendment of the written statement was allowed at the appellate stage and the case was remanded to the trial Court with a direction to decide the case afresh.

[2]. Perusal of the record would show that on 06.02.2016, Additional District Judge, Bathinda has allowed the application under Order 6 Rule 17 CPC for amendment of written statement by directing the defendant to file amended written statement

before the trial Court subject to payment of costs of Rs.2000/-.

The said order has been assailed in the present revision petition which has been attached as Annexure P7 with this revision petition. On 06.02.2016 itself, Additional District Judge decided the appeal by setting aside the judgment and decree of the trial Court. The case was remanded to the trial Court with a direction to decide the same afresh within a period of six months after considering the amended written statement. The said order has been attached as Annexure P8 with this revision petition, but no challenge has been made to the aforesaid order in this revision petition.

[3]. On 11.07.2019, learned counsel for the petitioner submitted before this Court that the remand order dated 06.02.2016 (Annexure P8) passed by the Additional District Judge, Bathinda has not been challenged by the petitioner and the petitioner has already appeared before the trial Court in pursuance of the remand order.

[4]. In view of above conceded position, there is nothing left to be considered by this Court. This revision petition is ordered to be disposed of and the presence of the parties along with their counsel is dispensed with. However, liberty is granted to the petitioner that in case, something survives in this revision petition, then in such an eventuality, he may move an

appropriate application for revival of the revision petition in
accordance with law.

13.08.2019
Prince

(RAJ MOHAN SINGH)
JUDGE

Whether reasoned/speaking

Yes/No

Whether reportable

Yes/No