

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

CR-7632-2019
Decided on : 29.11.2019

Inderjit Singh

..... Petitioner

Versus

Kulwinder Singh and others

..... Respondents

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Lupil Gupta, Advocate
for the petitioner.

Manjari Nehru Kaul, J.

The instant petition has been filed against the order dated 20.08.2019 (Annexure P-4) vide which application filed under Order 6 Rule 17 CPC by the respondent (plaintiff in suit) for amendment of the plaint was allowed.

Learned counsel for the petitioner submits that defendant No.4 – Prabhjot Kaur is admittedly a minor and no suit can be filed against the minor in his personal capacity. Hence, the respondent could not have been allowed to amend the plaint on technical grounds.

After perusing the impugned order, I am of the considered opinion that the case was at the very initial stage when the amendment of plaint was sought and a suit against a minor could only have been filed through his/her guardian or next friend. If the amendment would not have been allowed, valuable civil rights of the plaintiffs would have been prejudiced.

In the circumstances, the impugned order dated 20.08.2019 passed by the trial court allowing the application for amendment of the plaint is perfectly just and legal. The present petition stands dismissed, accordingly.

29.11.2019
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(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether reportable :	Yes/No