

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CR-7671-2019

Date of Decision : 02.12.2019

Jagroop SinghPetitioner

VERSUS

Gamdoor Singh and others..... Respondents

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

...

Present: Mr. Rajwant Singh Chahal, Advocate
for the petitioner.

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MANJARI NEHRU KAUL, J.

Challenge in this revision petition is to the order dated 01.10.2019 passed by the learned Civil Judge (Jr. Divn.) Budhlada, whereby the application of the plaintiff-petitioner for amendment of plaint was dismissed.

Learned counsel contends that due to inadvertence the factum of allotment of land of the petitioner i.e. Killa No. 49//5, 6, 50//11 situated near the boundary of village Talabwala and running of permanent water course was not mentioned in the plaint at the time of filing of civil suit. It has been further contended that the amendment of the plaint would be necessary for the purpose of determining the real question in controversy between the parties. Learned counsel has referred to Order 6 Rule 17 CPC in support of his contention.

In view of the above, this Court deems it proper to dispose of

the present revision petition without going into the merits of the case and without issuing notice of motion as that would only delay the proceedings.

Accordingly, this revision petition is allowed. The order dated 01.10.2019 passed by the learned Civil Judge (Jr. .Divn.) Budhlada is set aside and one opportunity is granted to the petitioner to carry out the amendment of the plaint, subject to payment of ₹5000/- as costs to be deposited with the District Legal Services Authority, Budhlada, within 10 days.

(MANJARI NEHRU KAUL)
JUDGE

02.12.2019
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Whether speaking/reasoned
Whether Reportable:

Yes / No
Yes / No