

111 IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CR-20-2021(O&M)

Date of decision: 08.01.2021

Gurdial and others

.....Petitioners

Versus

Ajmer Singh

.....Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr.Hitender Kansal, Advocate for the petitioners

**ANIL KSHETARPAL, J. (ORAL)**

The defendant has filed this revision petition challenging the correctness of order, dated 16.4.2020, permitting the plaintiff to amend the plaint. The plaintiff-respondent filed a suit with the following prayers:-

“It is, therefore, respectfully prayed that a decree for permanent injunction restraining the defendants and their agents from interfering into the peaceful possession of the plaintiff over the entire House no.773, Near Church, Village Hallomajra, Chandigarh and restraining the defendants and their agents from forcibly dispossessing the plaintiff from the premises under his occupation, except in due course of law, may kindly be passed in favour of the plaintiff.

AND

It is further prayed that Defendant no.1 be restrained from selling/alienating/transferring the property in dispute to any other third party except the plaintiff, being one of the co-sharer in the property, in the interest of justice

Any other relief which this Hon'ble Court may deem fit and proper in the facts and circumstances of the case, may also be granted in favour of the plaintiff.”

When the suit was at initial stage, an application to give up

the relief of grant of injunction qua alienation was filed. Certain other minor amendments were also sought. Learned Trial Court, on appreciation of facts available on record, allowed the application.

Learned counsel, for the petitioner, contends that the nature of the suit is changed. However, he failed to substantiate his argument.

Hence, no ground to interfere is made out. Dismissed.

**08.01.2021**

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**(ANIL KSHETARPAL)**  
**JUDGE**

Whether speaking/reasoned      Yes / No

Whether Reportable              Yes / No