

**213 (2) IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CR-3810-2017 (O&M)

Date of decision: 14.09.2021

Punjab State Power Corporation Limited and another
....Petitioners

Versus

M/s Ruby Mushroom & Canning (P) Ltd. and others
..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr.S.P.Soi, Advocate for the petitioners

Mr. Jaswant Singh, respondent no.2 in person
for all the respondents

ANIL KSHETARPAL, J (Oral)

The defendants-petitioners assail the correctness of the order passed by the learned trial court on 16.03.2017, while permitting the plaintiff to amend the plaint at a pre-trial stage. It is admitted fact that on the date the application for permission to amend was filed, the court had not even framed the issues. It has also come on record that major part of the amendment is relating to the subsequent events as the suit was filed in the year 2002 whereas the application for permission to sue as indigent person came to be allowed after a period of 14 years on 23.03.2016. It is well settled that at a pre trial stage the amendment of the pleadings can be allowed liberally as the proviso to Order 6 Rule 17 CPC is not applicable. Hence, no ground to interfere under Article 227 of the Constitution of India is made out.

Dismissed.

All the pending miscellaneous applications, if any, are also disposed of.

14.09.2021

rekha

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)
JUDGE