

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

120

Civil Revision No.3407 of 2021

Date of Decision:20.12.2021

POOJA ARORA

...Petitioner

Versus

GURMEET KAUR AND OTHERS

...Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr. Ferry Sofat, Advocate
for the petitioner.

ANIL KSHETARPAL, J(Oral)

The petitioner is the plaintiff in a suit pending before the trial court. Her application for permission to amend the plaint, at the stage of final arguments, has been dismissed. The petitioner claims that due to a typographical error, the cheque number has been wrongly mentioned in the pleadings. The aforesaid cheque is with respect to the payment of the amount to the predecessor-in-interest of the defendants. The plaintiff has filed a suit for recovery of Rs.3,61,100/-.

The learned trial court has dismissed the application on the ground that the trial of the suit is at the fag end. The plaintiff claims right to recover the amount on the ground that she has advanced the amount to late Sh. Dyal Singh, predecessor-in-interest of the defendants. The plaintiff has already led evidence to prove that fact.

It is a well settled rule that the evidence is not required to be mentioned in the pleadings and the parties have only to state the material facts on which the party pleading relies for his claim or defence.

Further, the pleadings must state only the material facts, in a concise form.

Keeping in view the aforesaid facts, the learned trial court while deciding the suit will keep in mind the intention behind Order 6 Rule 2 of Code of Civil Procedure, 1908.

Disposed of accordingly.

20.12.2021
nt/joyti

(ANIL KSHETARPAL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No