

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

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**CR-5289 of 2018 (O&M)
Date of decision: 17.11.2022**

Musaddi Singh

..Petitioner

Versus

Chhajju and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. J.P.Sharma, Advocate
for the petitioner.

Mr. S.K.Yadav, Advocate
for respondent no. 1, 3, 4 and 5.

ANIL KSHETARPAL, J(Oral)

The plaintiff in a suit for grant of decree of permanent injunction is the petitioner herein. His application under Order VI Rule 17 read with section 151 CPC for permission to amend the plaint in order to disclose Ahata number and Ghar number of the property in dispute has been dismissed by the court, though, the defendants have not even filed their written statement yet.

The trial court while dismissing the application has observed that the said Ahata number and Ghar number has not been specified in the written family settlement and it would result in changing the nature of the suit. Both the reasons are patently erroneous. Admittedly, the suit is at a preliminary stage. Moreover, Ahata number and Ghar number is allocated by the officials. These details are required to be given in order to identify /specify the property. Moreover, the learned counsel representing the respondents has failed to show as to how the amendment would change the nature of the suit.

Keeping in view the aforesaid facts, the order dated 13.07.2018 is set aside.

The revision petition stands allowed.

Let the trial court permit the petitioner to file the proposed amended plaint.

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

November 17, 2022

(ANIL KSHETARPAL)
JUDGE

nt

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