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

CR-5718-2018
Date of Decision: December 16, 2022

The Scheduled Caste Land Owing Society Ltd. Petitioner

Versus

Om Parkash & Ors. Respondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present:- Mr. V.D. Sharma, Advocate
for the petitioner.

Mr. Ajay Jain, Advocate
for respondents No. 4 to 14 and 17 to 20.

HARKESH MANUJA, J. (ORAL)

By way of present revision petition, challenge has been made to an order dated 03.08.2018, passed by the Court of learned Civil Judge, (Junior Division), Hisar; whereby an application invoking the provisions of Order 6 Rule 17 read with Section 151 CPC seeking amendment of written statement filed at the instance of respondents-defendants No.4 to 14 and 17 to 20 (hereinafter referred to as, 'the respondents') has been allowed.

Brief facts of the case are that the petitioner-plaintiff (in short, 'the petitioner') filed a suit for declaration claiming ownership as well as seeking possession over the suit property, besides claiming damages/ mesne profits from the respondents. The suit was filed on 02.09.2012. Thereafter, the issues were framed on 10.05.2013. The evidence of the respondents came to be closed on 18.02.2017 and the suit was ordered to be adjourned for rebuttal and arguments.

At this stage, two separate applications for seeking amendment of the written statement in two separate sets of respondents-defendants were filed before the trial Court on 27.04.2017 and 18.04.2018 respectively.

The application for seeking amendment of written statement filed by the 2nd set of respondents came to be decided by the trial Court on 03.08.2018 by allowing the same. It is the said order which has been impugned by way of present revision petition at the instance of petitioner. It may be noted here that the application for seeking amendment of written statement filed at the instance of 1st set of respondents is still pending sub-judice before the trial Court.

I have heard learned counsel for the parties and have perused the records.

The amendment sought for at the instance of respondents appears to be legal, technical and formal in nature. Two sets of respondents appearing before this Court fairly submit that they will not lead any evidence in support of the amendment of written statement allowed in their favour.

In view of the statement made on behalf of the respondents, learned counsel for the petitioner submits that he will not press the present revision petition. In view thereof, the present revision petition is disposed of with the observation that the respondents would not lead any evidence in support of the amendment of written statement allowed in their favour and the trial Court shall make all endeavour to dispose of the main suit pending

before it for the past ten years now, within a period of four months from today.

Disposed of accordingly.

December 16, 2022
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(HARKESH MANUJA)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>