

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

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CR No.4788 of 2019 (O&M)

Date of decision: 25.08.2022

Hardeep Kaur

..Petitioner

Versus

Sarabjit Kaur and another

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Karanvir Hooda, Advocate
for the petitioner.

Mr. P.K.S.Phoolka, Advocate
for respondent no.1.

ANIL KSHETARPAL, J(Oral)

The petitioner herein is the defendant in a suit for grant of decree of permanent injunction.

During the pendency of the suit, an application filed by the plaintiff under Order VI Rule 17 CPC for formally amending the suit in order to include the relief of declaration of her ownership upon the suit property has been allowed.

The revision petition has been filed questioning its correctness. The learned counsel representing the petitioner contends that the amendment has been allowed after the commencement of the trial, therefore, in view of the proviso to Order VI Rule 17, such an amendment could not have been allowed. He further contends that the entire nature of the suit has been changed.

On a careful reading of the plaint, it is evident that the plaintiff has claimed the relief of injunction on the basis of ownership. He claims

that he purchased the property vide registered sale deed dated 21.10.2008. Thus, the foundation of the suit filed by the plaintiff is based upon her ownership/title over the suit property. Hence, the amendment sought is only formal in nature.

Keeping in view the aforesaid facts, no ground to interfere is made out.

Dismissed.

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

August 25, 2022
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(ANIL KSHETARPAL)
JUDGE

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