

IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH

Sr. No.: 113

CR No.4071 of 2022

Date of Decision: *December 13, 2022*

Dharampal

..... APPELLANT(S)

VERSUS

Manphool Singh and ors.

..... RESPONDENT(S)

. . .

CORAM: **HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA**

. . .

PRESENT: - Mr. Sandeep Kumar Yadav, Advocate, for the applicant-petitioner.

. . .

Tribhuvan Dahiya, J (Oral)

This revision petition has been filed under Article 227 of the Constitution of India for setting aside the order dated 26.08.2022 passed by the trial Court whereby the respondent No. 1/defendant No. 1's application for amendment of written statement has been allowed.

2. A perusal of the impugned order shows that the defendant was allowed to amend the written statement to plead the factum of exchange of the property, otherwise evidence with regard to the exchange would have to be treated out of pleadings. It was only to remove the technicality that the written statement was allowed to be amended by the trial Court. At the same time, plaintiff was provided with an opportunity to rebut this fact by way of evidence at rebuttal stage.

3. Learned counsel for the petitioner-plaintiff is not in a position to point out any prejudice that has been caused to plaintiff on account of the order passed. The trial is now fixed for final arguments.

4. In view the aforesaid, there is no ground to interfere with the impugned order.

5. Dismissed.

(Tribhuvan Dahiya)
Judge

December 13, 2022
avin

Whether Speaking/ Reasoned:
Whether Reportable:

Yes/ No
Yes/ No