

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

150

CR-90-2022

Date of decision: 25.08.2022

TEJBIR AND OTHERS

..Petitioners

Versus

DEEP CHAND

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Amit Kumar Goyal, Advocate
for the petitioners.

Mr. Shilak Ram Hooda, Advocate
for respondent.

ANIL KSHETARPAL, J(Oral)

When the suit was at the stage of rebuttal and arguments, the plaintiff filed an application seeking to clarify the pleadings. The plaintiff claims that previously he has used the word 'street', whereas, he now wants to substitute the same with the word 'passage'. The parties have already concluded their evidence. The case is at the final stage. Proviso to Order VI Rule 17 provides that after the commencement of the trial, the pleadings will not be permitted to be amended unless the party proves due diligence and makes out a case for amendment.

The learned counsel representing the petitioners submit that he does not wish to lead any evidence.

Be that as it may.

Keeping in view the advanced stage of the case and the nature of amendment sought, the trial Court has correctly refused to allow the amendment.

Hence, dismissed.

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

August 25th, 2022

Ay

**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned : Yes/No