

In the High Court of Punjab and Haryana, at Chandigarh

Civil Revision No. 6870 of 2019

Date of Decision: 20.05.2022

Mewa Singh and Another

... Petitioner(s)

Versus

Dalip Kaur

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.

Present: Mr. Swarn Tiwana, Advocate
for the petitioner(s).

Mr. N.K.Verma, Advocate
for the respondent.

Anil Kshetarpal, J.

1. The trial Court has permitted the plaintiff to withdraw the suit on the ground that he failed to seek consequential relief of possession under Section 34 of the Specific Relief Act, 1963.

2. The learned counsel representing the petitioners submits that he has no objection if the plaintiff is permitted to amend the plaint and seek relief of possession.

3. Keeping in view the aforesaid statement made by the learned counsel representing the petitioners, the formal defect, if any, in the suit has come to an end. Consequently, the present revision petition is allowed and the order, under challenge is set aside. The plaintiff is permitted to amend the plaint to incorporate the relief of possession and thereafter proceed with the suit.

(Anil Kshetarpal)
Judge

May 20, 2022
"DK"

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No