

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

110

CR-393-2018

Date of decision: 29.11.2022

MANJIT KAUR

..Petitioner

Versus

RAMA RANI AND OTHERS

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. K.S. Dadwal, Advocate
for the petitioner.

Mr. S.S. Rathore, Advocate
for respondent No.1 and 2.

Mr. Jatinder Singla, Advocate
for respondent No.4 to 11.

ANIL KSHETARPAL, J(Oral)

The petitioner's application for permission to amend her written statement, has been dismissed by the trial Court. The plaintiff has filed a suit for grant of decree of declaration that they are co-sharers in joint possession of the property. The defendant (petitioner herein) has already filed a detailed written statement. The plaintiffs have already concluded their evidence. When the suit was fixed for defendants evidence, the petitioner filed an application to amend the written statement to the effect that Sh. Raghubir Singh, who is the vendee of the plaintiffs, has no right, title or interest in the suit property. The trial Court has dismissed the same.

As per Order VI Rule 2 of the Code of Civil Procedure, 1908, the pleadings in the suit are required to be restricted only to incorporate the material facts, that too, in a concise and precise form. It is provided that the evidence is not required to be made a part of the pleadings. The defendant, while contesting the suit, can lead the relevant evidence. In such

circumstances, the defendant is not required to incorporate every ancillary/incidental fact or the evidence in her written statement.

With these observations, the present petition is disposed of.

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

November 29th, 2022

(ANIL KSHETARPAL)
JUDGE

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