

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

**CR-24-2023 (O&M)**

**Date of decision: January 06, 2023**

Charu Chadha and another

....Petitioners

versus

Ashok Kumar Chadha and others

....Respondents

**CORAM: HON'BLE MR. JUSTICE ARUN MONGA**

**Present:-** Mr. M.K. Bali, Advocate for the petitioners.

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**ARUN MONGA, J. (ORAL)**

Present revision petition is against the impugned order dated 03.12.2022 (Annexure P-11) passed by learned Civil Judge (Junior Division), Rupnagar, whereby application filed by the plaintiff/petitioners under Order VI Rule 17 read with Order I Rule 10 of Code of Civil Procedure, 1908 for amendment of plaint, has been dismissed.

2. Learned counsel for the petitioners *inter alia* contends that the amendment being sought in the plaint will neither change the nature of suit nor it will alter the cause of action and no prejudice will be caused to the defendant. He submits that civil suit was filed through Special Power of Attorney and due to oversight, he failed to mention properties specifically and rather mentioned name of village in which those properties lie.

3. Given the nature of order being passed, there is no necessity to issue notice to the respondents as no prejudice would be caused to them. Notice to the respondents is dispensed with.

4. Heard.

5. In view of the aforesaid statement of learned counsel for the petitioners, the revision petition is allowed, subject to payment of costs of Rs.10,000/-.The costs be deposited with the High Court Legal Services Committee, Chandigarh. Petitioners be given one opportunity to place on record their amended plaint. It is, however, made clear that the petitioners shall not be allowed any fresh evidence to be adduced *qua* the amendment which has been allowed vide instant order.

**(ARUN MONGA)**  
**JUDGE**

**January 06, 2023**  
mahavir

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No