

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

CR-497-2019 (O&M)

Date of decision: 10.05.2023

Madan

...Petitioner

Versus

Munsi and others

...Respondents

CORAM: HON'BLE MR.JUSTICE H.S. MADAAN

Present: Mr. S.S. Deol, Advocate for the petitioner.

Mr. Sanjay Verma, Advocate for respondent No.1.

H.S. MADAAN, J.

1. Being impugned in this revision petition is order dated 01.12.2018 passed by the Court of Civil Judge (Jr. Divn.) Gurgaon, vide which an application under Order 6 Rule 17 CPC for amendment of the plaint had been allowed.

2. Briefly stated facts of the case are that in a civil suit titled 'Munsi Vs. Jage Ram and others', pending in the Court of Civil Judge (Jr. Divn.) Pataudi, the plaintiff had filed an application U/o 6 Rule 17 CPC for amendment of the plaint so as to seek a decree for mandatory injunction for issuance of direction to the defendants to remove the construction/obstruction over killa No.8/1/2(3-3) raised/caused during pendency of the suit and to hand over the vacant possession in its original form.

3. That application was opposed on behalf of the defendants and vide impugned order, the trial Court had accepted the application giving detailed reason.
4. After hearing counsel for the petitioner and going through the record, I do not find any illegality or infirmity in the impugned order which might have called for interference by this Court while exercising revisional jurisdiction. There is no element of perversity or arbitrariness in the impugned order. The revision petition is found to be without merit and is dismissed accordingly.
5. Consequently, the interim order passed on 22.01.2019, comes to an end.

10.05.2023

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(H.S. MADAAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No