

2024:PHHC:037503

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

CR-1634-2024 (O&M)
Date of decision: 14.03.2024

Himmat Singh

....Petitioner

Versus

Sunita

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr. Amardeep Sheoran, Advocate for the petitioner

ANIL KSHETARPAL, J (Oral)

1. The First Appellate Court has permitted the plaintiff to delete the following three words in the fourth line of para 2 of the plaint:-

“the husband of”

2. The correctness of the aforesaid order has been challenged in this revision petition. Learned counsel representing the petitioner submits that the First Appellate Court has no jurisdiction to amend the plaint. He submits that Order VI Rule 17 of the Code of Civil Procedure, 1908 is applicable only during the pendency of the suit.

3. This Court has considered the submissions made by the learned counsel representing the petitioner.

4. The first appeal is in continuation of the hearing of the suit. The First Appellate Court has all the powers which vests with the trial court.

5. Keeping in view the aforesaid facts, no ground to interfere is made out.

6. Hence, dismissed.
7. All the pending miscellaneous applications, if any, are also
disposed of.

14.03.2024
rekha

(ANIL KSHETARPAL)
JUDGE

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