

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

CR No.2189 of 2024

Date of Decision: 15.04.2024

Deen Dayal

...Revisionist-Petitioner

Versus

Ranbir Singh and others

...Respondents

CORAM: HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA

Present:- Mr. Dinesh Mahajan, Advocate
for the revisionist-petitioner.

MEENAKSHI I. MEHTA, J. (Oral)

By way of the instant revision-petition, the petitioner-defendant No.5 has assailed the order passed by learned Civil Judge (Junior Division), Mukerian (for short 'the trial Court') on 07.02.2024 in the ***Civil Suit No.820 of 2018*** titled as '***Ranbir Singh versus Chanchala Devi etc***', whereby the application (Annexure P-2), as moved by respondents No.1 to 5-plaintiffs for seeking the amendment in the plaint, has been allowed.

2. At this stage, Mr. Harinder Sharma, Advocate, has appeared on behalf of respondents No.1, 2, 4 and 5 in the present revision-petition and has filed his Power of Attorney in the Court and the same is taken on the record.

3. I have heard learned counsel for the petitioner-defendant No.5 as well as learned counsel for the respondents-plaintiffs No.1, 2, 4 & 5 in this revision-petition, at the preliminary stage and have perused the file carefully.

4. Learned counsel for the petitioner-defendant No.5 contends that the above-referred Civil Suit had been filed in respect of the land measuring

37 Kanals 06 Marlas whereas the land, as sought and allowed to be mentioned in the plaint by way of the amendment, is 36 Kanals 03 Marlas and this fact shows that the new Khasra Numbers, incorporated in the amended plaint, do not pertain to the suit land and it being so, the impugned order is not legally sustainable and hence, it deserves to be set-aside.

5. However, the afore-raised contentions are devoid of any merit because it has categorically been averred in the application (Annexure P-2) that during the pendency of the above-mentioned Civil Suit, the proceedings qua consolidation of land holdings were carried out in the Village and during these proceedings, the suit land has been assigned/given new Khasra Numbers as described in the '*missal haqiat*' (file/record qua ownership). The petitioner-defendant No.5 has not been able to place any material on the file, at this stage, to rebut or falsify these facts and in these circumstances, it becomes crystal clear that the afore-discussed amendment has been necessitated due to the above-referred proceedings.

6. As a sequel to the fore-going discussion, it follows that the impugned order does not suffer from any illegality, irregularity, infirmity or perversity so as to call for any interference by this Court. Resultantly, the revision-petition in hand, being *sans* any merit, stands dismissed.

15.04.2024
neetu

(MEENAKSHI I. MEHTA)
JUDGE

Whether speaking/reasoned: Yes
Whether Reportable: No