2024:PHHC:058376

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

CR-2556-2024(O&M)
Date of decision :29.04.2024

Sanjay Kumar **...Petitioner**

Vs.

Piara Singh Since (deceased) through his LRs **...Respondents**

CORAM:- HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Mohan Singh Rana, Advocate
for the petitioner.

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ANIL KSHETARPAL, J. (Oral)

1. The petitioner herein is a defendant in the plaintiff's pending suit for grant of decree of mandatory injunction directing the defendant to vacate the land measuring 6' x 7'. During the pendency of the suit, the amendment of the plaint was filed in order to seek relief of possession, which has been allowed.

2. Learned counsel representing the petitioner submits that the aforesaid amendment has been allowed after the commencement of the trial.

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

4. The plaintiff has already filed a suit for mandatory injunction. In substance, he has already prayed for relief of possession. In any case, the amendment sought by the plaintiff is only formal in nature and it does not change the nature of the claim.

5. Hence, no ground to interfere is made out.

6. Dismissed.

(ANIL KSHETARPAL)
JUDGE

29.04.2024

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

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