



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

131

CR-3785-2024

Date of Decision: 10.07.2024

JASBIR SINGH**.....Petitioner****Vs.****MANPREET KAUR AND OTHERS****.....Respondents****CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA**

Present: Mr. Lalit Goyal, Advocate for the petitioner.

DEEPAK GUPTA, J. (ORAL)

By way of this petition filed under Article 227 of the Constitution of India, petitioner prays to set aside order dated 03.04.2024 (Annexue P-1) passed by learned trial Court in Civil Suit No.4954 of 2021 titled as Manpreet Kaur Vs. Jasbir Singh and Others, whereby the application moved by the petitioner-defendant under Order 6 Rule 17 CPC seeking amendment in the written statement has been dismissed.

Learned counsel contends that case is at the initial stage and therefore, the application for amendment in the written statement has been wrongly declined.

Perusal of the impugned order would reveal that initially petitioner-defendant No.1 filed the written statement wherein he admitted the claim of the plaintiff to the effect that after the death of Sh.Jagjit Singh suit property devolved upon the plaintiff as well as defendant Nos. 1 to 3 and Smt. Rajinder Kaur in equal share and that all of them had become co-sharers to the extent of 1/5th share each in the suit property. It was further observed that in Para Nos. 7 and 10 of the written statement, it was pleaded



by defendant No.1-petitioner that he had no objection if the property in question is partitioned by metes and bounds. It was also pleaded that agreement to sell executed by defendant No.4 was null and void.

However, by way of the amendment sought by defendant No.1-petitioner, he wanted to make a complete summer salt, by withdrawing the admission regarding devolution of the property in question in equal share between the plaintiff and defendant Nos. 1 to 3 on the basis of natural inheritance. The application for amendment was moved after more than a year as has been observed by the trial Court.

After going through the impugned order passed by the trial Court, this Court does not find any illegality therein as petitioner wanted to make complete U-turn from the admission made by him before the trial Court.

Dismissed.

10.07.2024
pry

(DEEPAK GUPTA)
JUDGE

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