

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR-4461-2022 (O&M)
Date of Decision:-14.02.2024

VIJAY KUMAR GOYAL

... Petitioner

Versus

NEENA RANI AND ORS.

... Respondents

:-

CORAM: HON'BLE MRS. JUSTICE RITU TAGORE

Present:- Mr. Shehbaz Thind, Advocate
for the petitioner(s).

Mr. Abhimanyu Kalsy, Advocate
for the respondents.

RITU TAGORE, J. (Oral)

1. Instant revision petition has been filed by the petitioner for setting aside order dated 5th August, 2022 (Annexure P-5) passed by learned Civil Judge (Junior Division), Ludhiana, whereby application under Order 6 Rule 17 CPC for amendment of plaint filed by the petitioner has been dismissed.
2. Mr. Abhimanyu Kalsy, Advocate puts in appearance on behalf of the respondents and has filed power of attorney, which is taken on record, subject to all just exceptions.
3. During the course of arguments, learned counsel for the petitioner, submits that he has no objection if the revision petition is disposed of with liberty for the petitioner to place on record judgment passed in *Civil Suit No.41879 of 2013 titled as Vijay Kumar Goyal vs. Vivek Kumar Gupta*

and Others, rendered on 9th December, 2021 before the learned trial Court, where the proceedings of suit titled as *Vijay Kumar Goyal vs. Neena Rani & Ors.* are pending for rebuttal evidence, if any / arguments.

4. Learned counsel for the respondents, on the other hand, states that judgment in question is not relevant for the disposal of case titled as *Vijay Kumar Goyal vs. Neena Rani & Ors.*, because the respondents were not party in that judgment.

5. Be that as it may, considering the passing of the judgment being a subsequent event, the prayer of the counsel for the petitioner can be given consideration. Therefore the prayer of the counsel for the petitioner is considered to the extent mentioned above. The revision petition is disposed of with direction to the learned trial Court to take note of judgment rendered in *Civil Suit No.41879 of 2013 titled as Vijay Kumar Goyal vs. Vivek Kumar Gupta and Others, decided on 9th December, 2021*, if it is presented before the learned trial Court at the time of final arguments.

6. Since the main case has been decided, pending miscellaneous application(s), if any, are also disposed of accordingly.

14.02.2024
Gaurav Sorot

(RITU TAGORE)
JUDGE

Whether reasoned / speaking?	Yes / No
Whether reportable?	Yes / No