



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

227

Civil Revision No.1812 of 2025
Date of decision: November 4th, 2025

Rashpal Kaur

.....Petitioner

Versus

Jagdev Singh (now deceased) through his LRs and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Ms. Bhupinder Kaur, Advocate
for the petitioner.

Mr. Ankit Joshi, Advocate
for respondent No.1 (iv).

VIKAS BAHL, J. (ORAL)

1. This is a revision petition under Article 227 of the Constitution of India for setting aside the order dated 24.02.2025 (Annexure P-5) passed by the learned Civil Judge (Junior Division), Ludhiana, vide which the application filed by the petitioner under Order VI Rule 17 CPC has been dismissed.

2. On 25.03.2025, this Court was pleased to pass the following order:

“Present: Ms. Bhupinder Kaur, Advocate for the petitioner.

Inter alia contends that in the present case, there is no injunction order in favour of the petitioner and the delay in the proceedings in the suit would primarily prejudice the rights of the petitioner. It is submitted that the petitioner would not lead any fresh evidence as the evidence with respect to the properties being ancestral property has already been led and has further submitted that there is other property which is also ancestral. It is further submitted that by virtue of

the amendment, the petitioner also seeks to rectify her mistake in khasra number and has thus submitted that the amendment is necessary and would also help her avoiding multiplicity of litigation.

Notice of motion for 28.04.2025.

The proceedings before the trial Court may go on but the final order may not be passed.

Liberty is granted to the petitioner to serve respondent nos. 1 (iv) to 1(vii) and respondent No.2 through dasti process as well as through counsel appearing before the trial Court.

To be taken up after the urgent list.

25.03.2025”

3. Learned counsel for the petitioner has reiterated the arguments raised on 25.03.2025 and has further submitted that the case is now fixed for 15.11.2025.

4. Learned counsel for the respondent has submitted that in case the amendment is to be allowed, then heavy costs should be imposed upon the petitioner as the application for amendment has been moved at the fag end. It is further submitted that the petitioner should also be bound by the statement made in the order dated 25.03.2025 that the petitioner would not lead any fresh evidence after the said amendment is allowed.

5. Learned counsel for the petitioner has submitted that in view of the objection raised by the counsel for the contesting respondent, the petitioner is ready to pay an amount of ₹15,000/- as cost and would deposit the same with the trial Court on or before 15.11.2025.

6. Keeping in view the abovesaid facts and circumstances and the fair stand taken by the learned counsel for the petitioner and the learned counsel for the contesting respondent, the present revision petition is

partly allowed and the impugned order dated 24.02.2025 is set aside with the following observations/directions:

- (i) The petitioner would deposit an amount of ₹15,000/- before the trial Court on or before 15.11.2025. The trial Court would release the same amount to Karnail Singh, who is defendant No.2 and is also one of the LRs of respondent/defendant No.1-Jagdev Singh. It is made clear that in case the said amount is not deposited, then the present petition would be deemed to have been dismissed.
- (ii) As undertaken before this Court, the petitioner would not lead any fresh evidence after the amendment is allowed and would also not delay the proceedings further and would fully assist the Court in expeditious disposal of the case.

November 4th, 2025
Puneet

(VIKAS BAHL)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No