

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH****125****CR-3450-2025 (O&M)****Date of decision: 29.05.2025****Ranbir and others****...Petitioner(s)****Vs.****Laxmi Devi and others****...Respondent(s)****CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA**

Present:- Mr. Sandeep Lather, Advocate
for the petitioners.

*********NIDHI GUPTA, J.**

The present civil revision petition has been filed by the petitioners/plaintiffs under Article 227 of the Constitution of India for setting aside order dated 19.05.2025 (Annexure P-6) passed by Ld. Additional Civil Judge (Sr. Divn.), Hansi, District Hisar in CS No.560/2017, whereby the application filed by petitioners under Order 6 Rule 17 read with Section 151 of CPC for impleading Smt. Bohti widow of Kapoor Singh as defendant No.9; and for amendment in plaint, has been dismissed.

2. Learned counsel for the petitioners submits that the impleadment of Smt. Bohti widow of Kapoor Singh/defendant No.2 as defendant No.9 is essential for the proper adjudication of the matter. It is submitted that it was only due to typographical error that Smt. Bohti could not be incorporated in the array of defendants. It is further



submitted that petitioners only want amended tile of the suit and do not wish to make any other amendment in the civil Suit. If Smt. Bohti is impleaded as defendant No.9, the nature of the Civil Suit will not be affected, and no prejudice will be caused to any party. It is submitted that typographical mistake or technical defect is permitted to be rectified at any stage of the Civil Suit. It is accordingly prayed that the present civil revision petition be allowed and impugned order dated 19.05.2025 (P-6) be set aside.

3. No other argument is made by Id. counsel for the petitioners.

4. Heard learned counsel and perused the case file in great detail.

5. I find no merit in the submissions made on behalf of the petitioners. Admittedly, the present Civil Suit was filed by the petitioners in the year 2017; whereas, the present application (Annexure P-4), for amendment of the plaint and permission to implead Smt. Bohti as defendant No.9, was filed only on 13.02.2025 i.e. eight years after filing of the suit. Even during the trial from 2017 till 2025, two applications for amendment of the plaint have been moved by the petitioners, which were allowed. Non-impleadment of the parties stated to be necessary cannot be brushed away as mere typographical error or technical defect. The inordinate delay of 8 years in seeking amendment cannot be overlooked. Impleadment of new defendant would entail *denovo trial*. Moreover, application of the petitioners was not supported by amended



plaint as required under Order VI Rule 15 CPC. Lastly, it is not denied that trial is nearing conclusion.

6. In view of the above undisputed facts, no ground is made out to interfere in the impugned order dated 19.05.2025 (Annexure P-6). The present civil revision petition, accordingly, stands **dismissed**.

7. Pending application(s) if any also stand(s) disposed of.

29.05.2025

Divyanshi

(NIDHI GUPTA)
JUDGE

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