



CR No.5801 of 2023 (O&M)

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

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CR No.5801 of 2023 (O&M)
Date of Decision:23.12.2025

JASBIR KAUR**.....Petitioner****Vs****HARJINDER SINGH****....Respondents****CORAM: *HON'BLE MR. JUSTICE HARKESH MANUJA***

Present: Mr. Ajaivir Singh, Advocate with
Mr. Jashan Preet Singh Deol, Advocate
for the petitioner.

Ms. Manvi Singla, Advocate
for the respondent.

HARKESH MANUJA, J. (Oral)

[1]. By way of present revision petition, challenge has been laid to the order dated 03.07.2023 (Annexure P-1) passed by the learned Civil Judge (Junior Division) Nakodar, whereby an application preferred at the instance of the petitioner/plaintiff seeking amendment of the plaint was dismissed.

[2]. Briefly stating, the petitioner claiming herself to be the adopted daughter of deceased S. Ajit Singh filed a suit for declaration to the effect that she was owner of the estate left by her father and transfer deed dated 04.12.2018 by late Smt. Mohinder Kaur in favour of the respondent-Harjinder Singh qua agricultural land measuring 125 Kanals 01 Marla situated in the village Nakodar 1/31, Tehsil Nakodar, District Jalandhar was illegal. Petitioner also prayed for decree of possession in her favour qua the suit land.

[3]. Thereafter, during the pendency, petitioner sought amendment of the plaint so as to plead that deceased S. Ajit Singh executed a Will dated 22.02.1985



in her favour qua the suit property. The said application was opposed at the instance of the respondent. The learned Trial Court vide order dated 03.07.2023 dismissed the prayer made by the petitioner/plaintiff thereby declining her claim for amendment of the plaint.

[4]. I have heard learned counsel for the parties and gone through the paper book.

[5]. Perusal of the record shows that the suit was filed at the instance of the petitioner/plaintiff on 20.01.2020. Thereafter, written statement was filed on 18.11.2020. Even before framing of issues, the application for seeking amendment of plaint was filed on 29.09.2022. Thus at this stage of proceedings even when the issues have not been framed, the prayer made by the petitioner/plaintiff for seeking amendment of the plaint so as to rely upon the Will dated 22.02.1985 allegedly executed by deceased S. Ajit Singh in her favour needs to be allowed. The point of valid execution of Will dated 22.02.1985 in any case shall be dealt with during the trial. Moreover, the respondent/defendant shall also be at liberty to file written statement to the amended plaint.

[6]. Accordingly, the present revision petition is allowed and the impugned order dated 03.07.2023 passed by the learned Civil Judge (Junior Division) Nakodar is hereby set aside. Resultantly, the application preferred at the instance of the petitioner/plaintiff seeking amendment of plaint is allowed.

[7]. Pending application(s), if any shall also stand disposed of.

December 23, 2025
Atik

(HARKESH MANUJA)
JUDGE

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