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

CR-7274-2024

Date of decision: 15.01.2025

Sukhi Ram and another

...Petitioners

Versus

Anchal and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Vikram Singh, Advocate for the petitioners.

VIKAS BAHL, J. (ORAL)

1. This is a revision petition filed under Article 227 of the Constitution of India for setting aside the order dated 30.08.2024 (Annexure P-4) passed by the Civil Judge (Junior Division), Jhajjar whereby an application (Annexure P-2) under Order 6 Rule 17 CPC filed by respondent Nos.1 and 2/plaintiffs has been allowed.

2. Learned counsel for the petitioners has submitted that by virtue of the amendment, line in para 5 of the plaint to the effect that “now Renu w/o Sh. Naveen Kumar got second marriage after the death of Naveen Kumar” which is sought to be deleted, is not a relevant fact for the purpose of adjudication of the present case but the said deletion has been sought in order to retract from the admission so made in the pleadings for the purpose of other proceedings including the proceedings where the issue of family

pension is to be determined. It is submitted that in the said circumstances, the revision petition be disposed of with a clarification that amendment has been allowed on account of the fact that the said fact is not relevant as far as the present case is concerned and since the issues have not been framed in the present case.

3. Keeping in view the abovesaid facts and circumstances, the present revision petition is disposed of and the impugned order is upheld with a clarification that the deletion of the abovesaid line in para 5 of the plaint is on account of the fact that the said averment is not relevant for the adjudication of the present case. Needless to say that it would be open to the petitioners as well as other party to make reference to any documents/pleadings in the present case in any other proceedings which would be considered independently and in accordance with law.

15.01.2025
Pawan

(VIKAS BAHL)
JUDGE

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No