



123 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR-6787-2024

Date of decision : 14.01.2025

Mandeep Singh

...Petitioner

Vs.

Paramvir Singh and another

...Respondents

CORAM:- HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. G.S. Duhan, Advocate
for the petitioner.

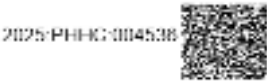
ANIL KSHETARPAL, J. (Oral)

1. Learned trial Court has permitted the plaintiff to amend the plaint during the pendency of the suit vide impugned order passed on 13.09.2024 (Annexure P-1). The Court has found that the plaintiff came to know of certain facts including cancellation of agreement to sell on 10.08.2009 vide writing dated 24.11.2009. Hence, it was appropriate to permit the plaintiff to amend the plaint. Originally, the plaintiff has filed a suit for recovery of Rs.51,60,000/-.

2. Learned counsel representing the petitioner contends that the trial of the suit has already commenced and plaintiff has already examined one witness and another partially. He submits that after commencement of the trial of the suit, it is not permissible to amend the plaint.

3. This Court has considered the submission made by the learned counsel representing the appellant.

4. There is no absolute bar to permit the plaintiff to amend the plaint after commencement of the trial. It is wholly dependent upon peculiar facts of



the case. In this case the plaintiff filed application for permission to lead secondary evidence in order to prove photocopy of agreement to sell dated 10.08.2009 executed by Sayed Mohammad Muslim in favour of the defendant, which was disposed of on 16.11.2023. At that stage, the plaintiff came to know that on the reverse side of agreement to sell dated 10.08.2009, there was writing dated 24.11.2009, cancelling the agreement to sell after payment of the amount.

5. Thus, there is no error in the trial Court's order permitting the plaintiff to amend the plaint.

6. Hence, the petition stands dismissed.

14.01.2025
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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No