



124

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH****CR-2846-2026****Date of Decision: 01.04.2026****SATVIR KAUR @ SATVEER KAUR****...Petitioner****Vs.****NACHHATTAR SINGH AND OTHERS****...Respondents****CORAM:- HON'BLE MR. JUSTICE VIRINDER AGGARWAL****Present:** Mr. Rajan Singh Dadwal, Advocate
for the petitioner.**VIRINDER AGGARWAL, J. (Oral)**

1. The present civil revision petition has been filed challenging the order dated 19.01.2026 passed by the learned Civil Judge (Junior Division), Jagraon, District Ludhiana, whereby the application filed by the petitioner seeking amendment of the plaint was allowed. The petitioner seeks to assail the said order on the grounds that the amendment was either improper, not maintainable, or prejudicial to the rights of the opposing party, and that the learned Trial Court failed to consider the legal and factual aspects governing the grant of such amendments under Order VI Rule 17 CPC.

2. The respondents/plaintiffs filed a suit seeking a declaration that they are entitled to use the electric motor connection bearing number SP-3/54 for irrigating their land as detailed in the plaint, specifically the land bearing Khasra No. 84//24/2/2. The petitioner/defendant No.1, in their written statement, contended that connection No. SP-3/54 is no longer operational according to the records of the Power Corporation. The petitioner further stated that, following a change of ownership, a new connection number was allotted in the year 2011, and the connection was situated on the petitioner's

land. During the pendency of the suit, the respondents/plaintiffs filed an application under Order VI Rule 17 CPC seeking to amend the plaint. The proposed amendment involved updating the connection number of the electric motor and deleting the name of Bant Singh as the owner of the disputed connection. The petitioner/defendant contested this application. The learned Trial Court, after hearing the parties, allowed the application for amendment. Being aggrieved by this order, the petitioner has filed the present revision petition, challenging the legality and propriety of the Trial Court's decision.

3. I have heard gone counsel for the petitioner and have gone through the paper-book carefully.

4. Learned counsel for the petitioner contended that the learned Trial Court failed to consider that the amendment application was not filed promptly after the respondents/plaintiffs became aware of the change in the electric motor connection number in 2021, when the petitioner had already filed the written statement. Thereafter, the respondents/plaintiffs even filed a replication on 11.09.2021, yet the amendment application was moved only after a delay of more than four years from the date when they acquired knowledge of the change. On this ground alone, the application, according to the petitioner, is not maintainable. Learned counsel further submitted that the amendment application ought not to have been allowed after the commencement of the trial, as the respondents/plaintiffs had ample opportunity to seek the amendment at an earlier stage but deliberately failed to do so. He argued that permitting the amendment at such a late stage would not only cause undue prejudice to the petitioner but would also substantially alter the nature and scope of the suit, effectively changing the relief claimed and the

subject matter in dispute. Allowing such a belated amendment, therefore, was contrary to the principles of Order VI Rule 17 CPC, which requires that amendments be allowed in a manner that facilitates the ends of justice without causing injustice or unfair prejudice to the opposite party.

5. The impugned order has been passed by the learned Trial Court after considering that the proposed amendment pertains merely to a factual clarification regarding the change in the number of the electric motor connection, resulting from the updating of records by the Punjab State Power Corporation Limited (PSPCL), and the correction of the name of the person in whose name the connection is recorded. It is not in dispute that the motor connection exists. The change in the connection number and the name of the person to whom the connection was issued has already been recorded in the written statement filed by the petitioner. The proposed amendment, therefore, is a factual clarification aimed at bringing the pleadings into conformity with the official record. Allowing such an amendment is necessary for the proper adjudication of the suit and to ensure that the Court can decide the matter on accurate and complete facts. Moreover, permitting the amendment helps avoid multiplicity of litigation, prevents procedural confusion, and facilitates a just and final resolution of the controversy between the parties.

6. Considering that the proposed amendment relates solely to the correction of a factual error in the plaint, which has been duly acknowledged by the petitioner and other defendants through their written statements, it is evident that the amendment does not alter the nature or substance of the suit. While it is true that there has been an inordinate delay in moving the application for amendment, such delay does not prejudice the parties or affect



the core issues in dispute. The fundamental question in the suit remains unchanged, namely, whether the respondents/plaintiffs are entitled to use the electric motor connection for irrigating their fields. The amendment sought by the respondents/plaintiffs is confined to rectifying a factual mistake and does not introduce any new cause of action or materially change the relief claimed. In these circumstances, the learned Civil Judge has rightly exercised the discretionary jurisdiction vested in the Court under Order VI Rule 17 CPC. The exercise of such jurisdiction cannot be said to be arbitrary, illegal, or improper. Consequently, the impugned order allowing the amendment is valid and does not call for any interference in the revisional jurisdiction of this Court. The present petition is dismissed.

(VIRINDER AGGARWAL)
JUDGE

01.04.2026

kv

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