



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

(115)

CR-9488-2025 (O&M)

Date of Decision:-09.01.2026

JAGSIR SINGH

... Petitioner

Versus

GURJANT SINGH

... Respondent

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CORAM: HON'BLE MR. JUSTICE VIRINDER AGGARWAL

Present: Mr. Ashish Gupta, Advocate,
for the petitioner.

VIRINDER AGGARWAL, J. (Oral)

1. This Civil Revision Petition has been filed under Article 227 of the Constitution of India assailing the order dated 14.08.2025 passed by learned Additional Civil Judge, Senior Division Nihal Singh Wala, whereby, the application filed by the respondent/defendant for amendment of the written statement has been allowed.

2. Petitioner/plaintiff filed a suit for declaration claiming transfer of electric motor connection in the name of respondent/defendant as illegal, null and void and not binding upon the petitioner and petitioner be declared to be co-owner to the extent of 1/2 share in the electric motor connection with consequential relief of permanent injunction restraining respondent/defendant from causing any hurdle in use of electric motor connection for irrigating his fields as per his turn. The suit was contested by the respondent/defendant by filing written statement taking a plea that motor connection along with the land was purchased by him from Smt. Ajmer Kaur vide sale deed dated 20.04.2006 and since then he is in exclusive use of the motor connection and has later on got the motor connection changed to his name. Subsequently, he moved an application for amendment of the written statement, which was contested by the



petitioner/plaintiff. That application was allowed by the learned Civil Judge. The amendment was sought on the grounds that certain new facts were highlighted by the new counsel, which are required to be pleaded. The order has been assailed on the grounds that by the amendment, respondent/defendant has virtually sets up a new defence and the entire written statement earlier filed has been overhauled.

3. I have heard counsel for the petitioner and gone through the file carefully.

4. Perusal of the initial written statement filed by the respondent/defendant placed on record as Annexure P-2, clearly shows that respondent/defendant has taken a plea that motor connection entirely belongs to him and he is using the same exclusively after its purchase from Smt. Ajmer Kaur and the same has been got transferred in his own name to the exclusion of all others. Now after amendment of the written statement, petitioner has incorporated the pleadings, whereby he has elaborated as to how he became sole owner of the motor connection to the exclusion of plaintiff and that plaintiff has no concern with the electric motor connection, which was even the case of the respondent/defendant in the initial written statement, so, respondent/defendant has not changed his version but by way of amendment has only elaborated the facts already stated in the written statement. The law with regard to the amendment of the written statement is quite liberal and when respondent/defendant by way of amendment has not taken any new plea nor any new defence has been raised nor any admission has been withdrawn then in such circumstances, it cannot be concluded that the learned Civil Judge has exercised the jurisdiction vested in her, while allowing the application for amendment of written statement, perversely or arbitrarily. Rather it appears that the jurisdiction has been exercised by the learned Civil Judge judiciously. The



same does not call for any interference in revisional jurisdiction of this Court, as such, the instant petition is dismissed.

5. As a natural corollary, since the main case stands dismissed , all pending miscellaneous application(s), if any, shall also stand disposed of, as no fruitful purpose would be served by keeping them pending.

9th January, 2026
S. Pathania

(VIRINDER AGGARWAL)
JUDGE

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