

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

129

2025:PHHC:030992



CR-1225-2024

Date of decision: 05.03.2025

AMARJIT KUMAR

..Petitioner

Versus

RAJESH SINGH AND OTHERS

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Vipin Mahajan, Advocate
Ms. Chandanpreet Kaur Ahluwalia, Advocate
for the petitioner.

ANIL KSHETARPAL, J(Oral)

1. The petitioner herein is the plaintiff in his suit for grant of decree of permanent injunction restraining the defendants from obstructing the passage to his house. During the pendency of the suit, the defendants have completed the construction by constructing a wall, which results in blocking his passage. The petitioner filed an application for permission to amend the plaint so as to incorporate the relief of mandatory injunction, which has been dismissed by the trial court.
2. In this revision petition, the correctness of such order is challenged before this Court.
3. This Bench has heard the learned counsel representing the petitioner at length and with their able assistance perused the paperbook.
4. The entire prayer of the petitioner for permission to amend the plaint is based upon subsequent development, which took place during the pendency of the suit. Ultimately, if the petitioner proves the subsequent development and would establish his right to the aforesaid alleged passage,



the Court will mold the relief in terms of Order VII of the Code of Civil Procedure, 1908.

5. With these observations, the revision petition is disposed of.

March 05th, 2025

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**(ANIL KSHETARPAL)
JUDGE**

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