



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR-7519 of 2019 (O&M)

Date of Order:21.02.2025

Raghibir

.Petitioner

Versus

Kunta Devi

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

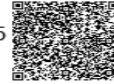
Present: Mr. Jasjit Singh Saini, Advocate
for the petitioner.

Mr. Bharat Bhushan Sharma, Advocate
for the respondent.

ANIL KSHETARPAL, JUDGE (Oral)

1. The defendant assails the correctness of the trial court's order refusing the petitioner to amend the written statement. The petitioner herein is the respondent' son. The mother has filed a suit seeking decree of mandatory injunction directing her son to hand over possession of the property which she purchased.

2. The defendant while contesting the suit filed an elaborate written statement claiming that late Sh. Bachan Ram, his father, purchased the property which was registered in the name of his mother, namely, the plaintiff. Thereafter, the property was given to him in a family settlement. After some part of the plaintiff's evidence was record, the defendant filed an application for permission to amend. He now wants to change the stand by claiming that he purchased the property in the name of his mother. The trial Court has declined the same. It is evident that the defendant now wants to take entirely new defence which is substantially different from the original



stand. Moreover, the trial of the case has already commenced.

3. Consequently, there is no error in the impugned order passed by the trial court.
4. Dismissed
5. All the pending miscellaneous applications, if any, are also disposed of.

(ANIL KSHETARPAL)
JUDGE

February 21, 2025
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Whether speaking/reasoned : **Yes/No**
Whether reportable : **Yes/No**