

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH****CR-2468-2025****Date of Decision: April 24, 2025****Vishnu****. . . . Petitioner**

Vs.

Pardeep and others

**. . . . RESPONDENTS****CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA****Present:-** Mr. Saurabh Dalal, Advocate for the petitioner.**DEEPAK GUPTA, J.**

Petitioner herein is defendant No.7 before learned Addl. Civil Judge (Sr. Divn.), Jhajjar, in a Civil Suit bearing CIS No.CS-842-2016, titled as "*Pardeep v. Shyam Lal and others*". He is aggrieved by the order dated 17.03.2025, whereby his application under Order 6 Rule 17 CPC for amendment of written statement has been declined.

2. As it emerges on the perusal of the paper book, based upon an agreement to sell dated 30.07.2013 executed by defendant Nos.1 to 5 in his favour, after receipt of entire sale consideration and delivering possession of the property in dispute, plaintiff brought the suit for specific performance by alleging that later on defendant Nos.1 to 5 sold the suit property to defendant No.6, who had further sold the same to defendant No.7 (petitioner herein). Defendants contested the suit. After framing of the issues, plaintiff concluded the evidence and case was at the stage of defendants evidence, when defendant No.7 – present petitioner moved an application under Order 6 rule 17 CPC to incorporate the plea of being a bonafide purchaser of the property in dispute by virtue of sale deed dated 17.12.2019.

3. As the aforesaid application was declined, petitioner approached this Court by way of present revision petition.

4. It is contended by learned counsel for the petitioner that no inconsistent plea was being taken by the petitioner; that petitioner-defendant No.7 is yet to lead his evidence; and that law regarding amendment of written statement is quite liberal and so the petitioner should have been permitted to amend the written statement.

5. After hearing learned counsel for the petitioner, this Court does not find merit in the aforesaid contention.

6. It is conceded position that plaintiff-respondent had already concluded the evidence when the application for amendment was moved. The plea, proposed to be taken by the defendant-petitioner in the amended written statement, was not as such, which was not available to him at the time of filing written statement. The application appears to have been moved only to delay the proceedings. This Court does not find any illegality or perversity in the impugned order.

7. As such, finding the present revision petition to be devoid of any merit, the same is hereby dismissed.

**April 24, 2025**

*Sarita*

**(DEEPAK GUPTA)  
JUDGE**

Whether speaking/reasoned?

Yes/No

Whether reportable?

Yes/No