

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

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CR-4209-2018 (O&amp;M)

Date of decision: 13.08.2025

Keshav Bindal and another

...Petitioner(s)

Vs.

Satvir Singh

...Respondent(s)

**CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA**

Present:- Mr. Tarunveer Vashist, Advocate for the petitioners.

Mr. Ashok Bhardwaj, Advocate for the respondent.

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**NIDHI GUPTA, J.**

Present Civil Revision Petition under Article 227 of the Constitution of India has been filed by the plaintiffs for setting aside the impugned order dated 23.05.2018 passed by learned Civil Judge (Senior Division) Sangrur; whereby the application filed by the petitioners for amendment in replication, has been dismissed.

2. It is *inter alia* submitted by learned counsel for the petitioners/plaintiffs that learned Civil Judge was in patent error in passing the impugned order as he failed to appreciate that by way of amendment, petitioners had only sought to correct a typographical mistake viz. that in the replication dated 19.11.2012, petitioners had incorrectly mentioned Power of Attorney as dated 30.11.2001; whereas the same should be mentioned as 30.10.2001. It is submitted that correction of only one digit was sought by the petitioners. No loss or injury or prejudice shall be caused



to the respondent if the said amendment in the replication is permitted. However, the learned Civil Judge has dismissed the same without any application of mind. It is accordingly prayed that the present Civil Revision Petition be allowed; and the impugned order be set aside.

3. *Per contra*, learned counsel for the respondent/defendant vehemently opposes submissions made on behalf of the petitioners and submits that nature of the suit will change in case the amendment is permitted. Furthermore, application has been filed at a highly belated stage and therefore, great prejudice will be caused to the defendant. He, accordingly prays for dismissal of the present Civil Revision Petition.

4. No other argument is raised on behalf of the parties. I have heard learned counsel and perused the case file in detail. I find no merit whatsoever in the submissions made on behalf of the petitioners.

5. Brief facts may be noticed. The petitioners had filed a suit on 04.01.2012 for specific performance of Contract dated 03.11.2001 entered into between the petitioners and respondent with regard to land measuring 74 bigha 9 biswas. In the suit written statement was filed by the respondent; to which replication dated 19.11.2012 was filed by the petitioners. Thereafter, Issues were framed on 01.07.2014. Evidence of the petitioners was closed by order on dated 02.11.2015 as, even after granting several opportunities to them petitioners had failed to conclude their evidence. Defendant closed his evidence on 05.05.2017. Rebuttal evidence of the petitioners was also closed by Court order dated 21.07.2017; whereafter the present application for amendment of the replication came



to be filed on 22.09.2017 when the case was at its final stage and fixed for final arguments. First and foremost, no reason whatsoever has been given by the petitioners to explain the said delay.

6. More importantly, the Power of Attorney in question is a registered Power of Attorney No. 1471 dated 30.11.2001 in favour of one Sudhir Kumar. Needless to say, petitioners cannot be permitted to change the date of registered Power of Attorney by way of amendment. Moreover, the said Power of Attorney does not form part of the pleadings, and was introduced by the petitioners only in replication dated 19.11.2012.

7. In view of the above facts, no ground is made out to set aside the impugned order dated 23.05.2018.

8. The present Civil Revision Petition is accordingly **dismissed**.

9. Pending application, if any, stands disposed of.

**13.08.2025**

Divyanshi

**(NIDHI GUPTA)**

**JUDGE**

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