

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

109

CR-3872-2025

Date of Decision: 04.07.2025

GURINDER SINGH CHAWLA AND ANOTHER**.....PETITIONERS****Vs.****SANDEEP SINGH CHAWLA AND OTHERS****.....RESPONDENTS****CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA**

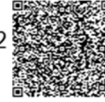
Present: Mr. K.B.S Mann, Advocate for the petitioners.

DEEPAK GUPTA, J. (ORAL)

Petitioners herein were two of the defendants before the trial Court. They are aggrieved by the order dated 19.05.2025 passed by learned Additional Civil Judge (Sr. Division), Tarn Taran whereby their application under Order 6 Rule 17 CPC for amendment of the written statement has been declined.

2. Learned counsel for the petitioners have been heard. It is made out from the record that suit was filed on 09.10.2019. Written statement was filed on 09.03.2023. Issues were framed on 16.05.2023. Plaintiff (*respondent herein*) has already concluded the evidence. Defendants-petitioners availed two opportunities, but did not produce any evidence and rather moved the application under Order 6 Rule 17 CPC to amend the written statement in order to incorporate that a Memorandum of Understanding had taken place between the family members on 13.08.2019 and that another agreement dated 12.08.2019 was also executed regarding one of the disputed properties.

3. As is apparent, both the documents which the petitioners-defendants wanted to incorporate in the amended written statement, had come into existence even prior to filing of the suit and much prior to filing of the written statements. It is conceded by learned counsel that there



was no reference in the written statement about any such Memorandum of Understanding and Agreement.

4. In the aforesaid circumstances, the trial Court did not commit any error in rejecting the application having regard to the proviso of Order 6 Rule 17 CPC.

5. The present petition is hereby dismissed.

04.07.2025

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**(DEEPAK GUPTA)
JUDGE**

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