

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

2025:PHHC:058097

**CR-2650-2025****Date of decision: 03.05.2025****SUSHMA RANI****..Petitioner****Versus****RAMAN KUMAR AND ANOTHER****..Respondents****CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL**

Present: Mr. Karan Bhardwaj, Advocate
Mr. Jasbir Singh Mohri, Advocate
for the petitioner.

ANIL KSHETARPAL, J(Oral)

1. The petitioner herein is a defendant in plaintiff's suit for symbolic possession by way of specific performance of agreement to sell. The petitioner filed an elaborate and detailed written statement on 14.12.2017, alleging that two agreements to sell dated 29.06.2013 and 18.02.2014 are forged and fabricated documents. She also pleaded her defence in detail. The issues were framed by the trial Court on 07.03.2019, whereas, recording of defendants evidence started on 04.09.2023 after the plaintiff concluded their evidence. At that stage, application for permission to amend the written statement was filed on the ground that certain facts have come to the notice of the defendant in her deposition.
2. This Court has considered the submissions of learned counsel for the petitioner.
3. The trial Court dismissed the application.
4. Learned counsel for the petitioner submits that certain new facts have come to light, which are required to be incorporated.



5. This Court has examined the proposed amendment, which is in the nature of evidence. The defendant while filing the written statement is required to state the facts in the concise form in accordance with Order VI Rule 2 of the Code of Civil Procedure, 1908, and the evidence is not required to be incorporated in the pleadings.

6. Moreover, the trial of the suit is now at a very advanced stage.

7. Hence, no ground to interfere is made out.

8. Dismissed.

May 03rd, 2025

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(ANIL KSHETARPAL)
JUDGE

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