



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

114

Date of decision : 17.01.2025

1. CR-2054-2024

Dharam Pal Seth through his LR Petitioner

versus

Kulbir Singh and others Respondents

2. CR-4255-2024 (O&M)

Kulbir Singh Petitioner

versus

Dharam Pal Seth through his LR and others Respondents

CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN

Present: Mr. Divanshu Jain, Advocate
for the petitioner in CR-2054-2024 and
for respondent No.3-caveator in CR-4255-2024

Ms. Rupinder Kaur Thind, Advocate
for the petitioner in CR-4255-2024 and
for the respondents in CR-2054-2024.

PANKAJ JAIN, J. (Oral)

CR-4255-2024

1. On 05.08.2024, following order was passed:-

“Learned counsel for the petitioner submits that the impugned order dated 19.07.2024 has been passed by the trial Court, whereby three applications dated 18.08.2021, 04.07.2022 and 19.12.2022, all filed under Order 6 Rule 17 CPC seeking amendment of the plaint, have been dismissed by common order. It is further submitted that in a revision petition between the same parties, ie. CR-2054-2024, titled as *Dharam Pal Seth through his Legal Representative vs. Kulbir*



Singh and others, pending before a coordinate Bench, status report from the trial Court has been called for.

Mr. Divanshu Jain, Advocate, appearing on behalf of the caveator, has filed his memo of appearance on behalf of respondent Nos.1(i) 1(iii) to 1(v), 2(i), 2(iii) to 2(v) and 4 to 7 and submitted that the aforesaid petition was filed by one of the legal heirs of Dharam Pal Seth, seeking directions to the trial Court.

List along with CR-2054-2024 on the date fixed in the said case.”

2. After hearing counsel for the parties and with the consent of the counsels, the present revision petition is being disposed off with the following order:-

“(i) That the present revision is disposed off to the effect that the impugned order dated 19.07.2024 passed by the Trial Court is ordered to be set aside.

(ii) Setting aside of the impugned order dated 19.07.2024 would not connote that the amendment proposed by the plaintiff by way of three different applications is being declined. Rather liberty is granted to the plaintiff to file one consolidated application afresh seeking amendment in the plaint on or before **31.01.2025.**”

3. Defendant-respondent would file his response thereto within a period of two weeks thereafter i.e. on or before **14.02.2025**, without fail. The same shall be decided by the Trial Court on or before **28.02.2025**. Both the parties undertake that no adjournment will be sought by either of them.

4. In terms of the aforesaid directions, CR-4255-2024 is disposed off.

5. Since the main case has been decided, pending miscellaneous application, if any, shall also stands disposed off.



CR-2054-2024

1. Keeping in view that the suit is pending since 2014 and by now only one of the witnesses of the plaintiff could be examined, Trial Court to make an endeavour for expeditious disposal of the suit.
2. Consequently, CR-2054-2024 is disposed off, accordingly.
3. A photocopy of this order be placed on the file of other connected case.

**(PANKAJ JAIN)
JUDGE**

17.01.2025

Dinesh

Whether speaking/reasoned : Yes

Whether Reportable : No