



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

CR-265-2024

Date of decision : 21.05.2025

MUNISH KUMAR AND ANR

...Petitioners

Versus

BINDER PAL SINGH GILL AND ORS

...Respondents

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present : Mr. Abhinav Jain, Advocate for the petitioners.

Mr. Nikhil Sabharwal, Advocate for respondent No.1.

PANKAJ JAIN, J. (ORAL)

Challenge is to the order dated 8th of December, 2023 passed by Civil Judge (Junior Division), Moga, whereby the application filed by the plaintiff seeking amendment of the plaint has been allowed.

2. The proposed amendment, reads as under:

“the eastern side of the wall of the building is unplastered and during rainy days the water seepage in the building and due to this the building has become in the deteriorated condition. Now the plaintiff wants to plaster of the wall at his own costs. Defendant has refused to do needful.”

3. Counsel for the petitioner has drawn attention of this Court to application filed by the plaintiff appended as Annexure P-4 to submit that *qua* the same relief, plaintiff earlier filed application which was declined.



Now the same relief is being incorporated in the plaint. However, he is not in position to dispute that the *lis* is still at a nascent stage and the trial has not commenced as yet.

4. In view thereof, this Court does not find any reason to interfere in the well reasoned order passed by the Trial Court as allowing the amendment is not hit by provisions as contained under Order VI Rule 17 CPC. Resultantly, finding no merit in the revision petition, the same is dismissed.

May 21, 2025

(Pankaj Jain)

Dpr

Judge

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No