

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

133

CR-2248-2025

Date of Decision: 22.04.2025

**KULBIR SINGH**

.....Petitioner

**Vs****VINAY KUMAR**

.....Respondent

**CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA**

Present: Mr. Nissim Aggarwal, Advocate  
for the petitioner.

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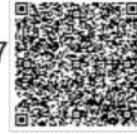
**DEEPAK GUPTA, J.**

Petitioner herein is the plaintiff before the trial Court. He is aggrieved by the order dated 28.03.2025 (*Annexure P-1*), whereby application under Order VI Rule 17 CPC moved by the defendant (*respondent herein*) for amendment of written statement, was allowed.

2. It is contended by learned counsel that case was at the stage of plaintiff's evidence when the application was moved and so the amendment should not have been allowed.

3. Perusal of the impugned order would reveal that earlier the defence of the defendant-respondent was struck off on 04.11.2022, but on the same day application moved for recalling was allowed and defendant filed the written statement through his counsel. It was pleaded in the application that defendant was not available at that time and so, all the facts were not mentioned in the written statement. The amendment was sought only for elaboration of facts, which were found to be necessary for just decision of the case.

4. The trial Court has observed that issues had been framed on the same day and that the evidence was yet to be led.



5. The law for amendment of written statement is quite liberal. Even the alternative and inconsistent pleas can be taken by the defendant. In the present case, defendant had simply sought elaboration of the facts, already pleaded.

6. In view of the aforesaid facts and circumstances, this Court does not find any legality or perversity in the impugned order dated 28.03.2025 and as such, holding the present revision to be devoid of any merit, the same is hereby dismissed.

**22.04.2025**

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**(DEEPAK GUPTA)  
JUDGE**

Whether speaking/reasoned : Yes  
Whether reportable : No