
(2019) 09 CHH CK 0090
Chhattisgarh High Court
Case No: WP227 No. 700 Of 2019

Ashok Kumar

APPELLANT

Vs

Ranulal And Ors

RESPONDENT

Date of Decision: Sept. 16, 2019

Acts Referred:

- Code Of Civil Procedure 1908 - Order 6 Rule 17
- Constitution Of India, 1950 - Article 227

Hon'ble Judges: Sanjay K. Agrawal, J

Bench: Single Bench

Advocate: R.S. Marhas

Final Decision: Dismissed

Judgement

Sanjay K. Agrawal, J

1. By the impugned order dated 19/08/2019, the application filed by the defendants under Order 6 Rule 17 of the CPC for amendment in the written

statement has been rejected by learned Civil Judge Class I, Khairagarh against which this writ petition has been preferred by defendant No.

1/petitioner herein.

2. Learned counsel for the petitioner submits that trial Court is absolutely unjustified in rejecting defendants' application for incorporating amendment in the written statement, as such, the impugned order is liable to be set aside.

3. I have heard learned counsel for the petitioner and perused the records.

4. After hearing learned counsel for the petitioner at length and going through the impugned order, I am satisfied that learned trial Court has assigned

sufficient and valid reasons for rejecting the application filed by the defendants under Order 6 Rule 17 of the CPC for amendment in the written

statement in which I do not find any perversity or illegality warranting interference under Article 227 of the Constitution of India.

5. The writ petition deserves to be and is accordingly dismissed with no order as to cost(s). However, the trial Court is directed to conclude the trial

expeditiously.

6. A copy of the order be sent to the concerned trial Court by e-mail/fax for needful and compliance.