

## **CS No.451/17**

### **Harbhajan Kaur Vs. Amardeep Kaur & Ors.**

26.10.2017

Present: Plaintiff in person with counsel Sh. Sanjeev Bhatia.  
Sh. Vandana S. Bhandari, counsel for defendants with  
defendant no.1.

Today the matter is listed for PE. However, an application u/O. 6 Rule 17 CPC alongwith fresh vakalatnama filed by the plaintiff. In the said application, the plaintiff is seeking amendment in para no.2 of the plaint to the effect that now the Special Power of Attorney has been executed by the plaintiff in India. In para no.5, it has been added that the plaintiff in order to construct the suit property took bank loan of Rs. 12 Lacs. In para no.6, the plaintiff has averred that a GPA dated 20.01.2005 was executed in respect of Plot no. 29, Manas Kunj, Uttam Nagar, New Delhi and in para no.7, it has been averred "that in the month of March, 2011, the said Gurmeet Singh unauthorizedly sold a piece of land and thereafter, in the prayer clause 'a', it has been prayed by the plaintiff that a decree of possession be passed in respect of property no. 28 and 29(new No. WZ-15-C/3), Manas Kunj, Uttam Nagar, New Delhi.

Counsel for defendants has vehemently objects to the application of the plaintiff at this stage. She has taken a strong objection to the amendment sought in para no.6 of the plaint, the plaintiff has averred that the property no. 28 and 29 (new No. WZ-

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15-C/3), Manas Kunj, Uttam Nagar, New Delhi has been sold to the husband of defendant. However by way of the present amendment, the plaintiff is seeking for execution of GPA in respect of Plot No. 29 for general upkeep of the said application.

Heard. Record perused.

In this matter, the trial has not yet commenced, the defendant would have an opportunity by way of filing a written statement to controvert the pleadings of the plaintiff sought to be amended. So far as the prejudice to the defendant is concerned, the same is compensated with the cost of Rs. 5000/-. In view of the aforesaid discussions, the application is allowed. Amended plaint is taken on record. Copy supplied.

Now, to come up for payment of cost, filing of written statement to the amended plaint within 15 days from today, replication, if any, to the amended WS as well as framing of additional issue, if any, for **16.11.2017 at 2:00 PM**. Date has been given as per the convenience of both the parties.

(Mohd. Farrukh)  
ADJ(SW)/Dwarka Courts  
26.10.2017