# Legal Case Summary

Case Title: M/S Revajeetu Builders & Developers vs M/S Narayanaswamy & Sons & Others

Citation: Civil Appeal No. 6921 of 2009

Date of Judgment: 9 October 2009

Bench: Justice Dalveer Bhandari, Justice Harjit Singh Bedi

Author of Judgment: Justice Dalveer Bhandari

## Parties Involved

Appellant: M/S Revajeetu Builders & Developers

Respondents: M/S Narayanaswamy & Sons & Others

## Background / Facts of the Case

The appellant filed a suit for recovery of ₹52,97,111 with interest, alternatively claiming ownership of the property based on a sale deed dated 30.09.1987. The land transfer was previously declared invalid by the Supreme Court under the Urban Land (Ceiling and Regulation) Act. After the Act was repealed, the appellant sought to amend the plaint under Order VI Rule 17 CPC, changing the nature of relief and declaring respondents as trespassers.

## Legal Issues Raised

1. Whether the amendment sought under Order VI Rule 17 CPC was legally valid.

2. Whether the amendment fundamentally altered the nature and cause of the original suit.

3. Whether the appellant could withdraw admissions made in the original plaint.

## Judgment / Decision

The Supreme Court upheld the High Court's decision that the amendment changed the entire character of the suit and amounted to withdrawal of earlier admissions. The court emphasized that amendments must be allowed only when they do not cause injustice or introduce a new case altogether.

## Final Order

Appeal dismissed with costs of ₹1,00,000/- to be paid by the appellant.

## Case Timeline

• 30 Sep 1987: Sale deed executed

• 1993: Supreme Court invalidates sale deed in related public interest litigation

• 1996: Suit filed by appellant

• 2003: Trial court allows amendment

• 2006: High Court sets aside amendment

• 9 Oct 2009: Supreme Court dismisses appeal

## Relevant Legal Principles & Precedents

• Order VI Rule 17, CPC - Amendment of pleadings

• Section 65, Indian Contract Act - Restitution for void contracts

• Usha Balashaheb Swami v. Kiran Appaso Swami (2007)

• Modi Spinning & Weaving Mills Co. Ltd. v. Ladha Ram (1976)

• Cropper v. Smith (1884), English case on amendments

• Jai Jai Ram Manohar Lal v. National Building Material Supply (1969)

## Key Takeaways

- Amendments that change the core nature of the suit are not allowed.

- Admissions in pleadings cannot be withdrawn by way of amendment.

- Courts should discourage frivolous or mala fide amendments.

- Costs must be imposed to compensate the opposing party and discourage delay tactics.