

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

CR No. 1173 of 2012 (O&M)

Date of decision: 16.10.2015

Wazir Chand

... Petitioner

versus

Kamlesh Rani and ors.

.... Respondents

CORAM: HON'BLE MR. JUSTICE K. KANNAN

Present: Mr. K.B. Raheja, Advocate, for the petitioner.

Ms. Sandeep Kaur, Advocate,
for Mr. Sandeep Khunger, Advocate,
for respondents No.1 and 3 to 6.

K.Kannan, J.

This revision petition is brought by the plaintiff who preferred suit for partition of half share of the shop and has applied for amendment to contend against the original pleading that the property belonged to mother was required to be corrected to state that a half belong to the father also. Both father and mother admittedly have expired. The court has dismissed the petition as belated.

If the source of title is correctly brought out referring to the property as belonging to the father and mother in equal shares and the situation where both of them have expired, the share in the property is not going to be altered.

Counsel for the petitioner states that he will not ask for any additional evidence on the basis of the amended plea. I do not think that there could be any serious objection for such amendment nor there can be any prejudice caused to the defendant.

The order already passed is set aside and revision petition is allowed on above terms.

**(K.KANNAN)
JUDGE**

16.10.2015
sukhpreet