

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA AT
CHANDIGARH

C.R. No.1388 of 2015 (O&M)

Date of Decision.23.04.2015

Rajender

.....Petitioner

Versus

Satish and others

.....Respondents

Present: Mr. Ajay Vijarania, Advocate
for the petitioner.

CORAM:HON'BLE MR. JUSTICE K. KANNAN

1. Whether Reporters of local papers may be allowed to see the judgment ?
2. To be referred to the Reporters or not ?
3. Whether the judgment should be reported in the Digest?

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K. KANNAN J. (ORAL)

1. The plaintiff who made an inartistic drafting of plaint with reference to a claim for specific performance has sought for a direction that the defendants should transfer the property in favour of the plaintiff and that they be restrained from selling the property and alienation. There is a claim for possession of the property in the plaint as originally framed. By an amendment, the plaintiff wants to make reference to a specific performance of the agreement which is implied already in the original pleading for a direction to sell the property. In lieu of the relief of recovery of possession, he has sought that he is already in possession and he does not require the relief of possession through Court. I do not think it changes the character of suit. It only abandons the relief which is already there and seeks for a proper framing of a relief which is inartistically worded in the plaint as originally framed. I find no cause for interference with the order passed

by the Court below for amendment.

2. The civil revision is dismissed.

(K. KANNAN)
JUDGE

April 23, 2015
Pankaj*