

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

CR No. 1389 of 2014 (O&M)  
Date of decision: August 10, 2015

Sapinder Singh

...Petitioner

Versus

Surjeet Singh

...Respondent

**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?**

Present: Mr. Rakesh Chopra, Advocate,  
for the petitioner.

Mr. Rohit Rana, Advocate,  
for the respondent.

**K. KANNAN, J. (Oral)**

1. The application for amendment was brought at a belated stage after 11 years to ask for alternative relief of recovery of possession to the declaratory suit. The plaintiff had originally claimed for injunction and sought for amendment after conclusion of the defendant's evidence.

2. The petition is grossly belated but still I will allow for the amendment to come into effect from the date when the petition was filed. The defendant will have a right of filing the amended written statement and the additional pleadings in the manner provided under Order 8 Rule 9 CPC. I thought for a while whether the plaintiff should be punished for payment of costs to the respondent by her unjust conduct. However, taking note of

the fact hat she was 80 years old widow at the time when the application was moved and also died while the revision had been filed, I do not think it will be appropriate and just to impose costs.

3. The impugned order is set aside and the revision is allowed on the above terms.

**August 10, 2015**  
prem

**(K.KANNAN)**  
**JUDGE**