

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

**Civil Revision No.5326 of 2015 (O&M)
Date of Decision: August 20, 2015**

Anurag Chandna (minor)

.... Petitioner

vs.

Dharmander and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present: Mr. Arun Singal, Advocate for the petitioner.

- 1. Whether Reporters of Local Newspapers 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?*

Kuldip Singh J.(Oral)

Impugned in the present revision petition is the order dated 31.07.2015 (Annexure P-5) passed by learned Civil Judge (Jr. Divn.), Panipat, vide which at the stage of rebuttal evidence and arguments, the application of the petitioner-plaintiff for amendment of the plaint to the effect that respondent No.3, namely Dushyant Kumar, father of the plaintiff was not GPA of respondent No.2, namely, Ashwani Kumar, uncle (father's brother) of the plaintiff at the time of execution of the sale deed bearing Vasika No.3662 dated 31.10.2006 and that respondent No.2 (uncle) had cancelled GPA vide Vasika No.70 dated 26.10.2006, was dismissed.

I have heard learned counsel for the petitioner and have also carefully gone through the case file.

It comes out that the petitioner-plaintiff has challenged the sale deed dated 31.10.2006 executed in favour of defendant No.1 by his father himself and on behalf of his brother Ashwani Kumar-defendant No.2. The right of the petitioner-plaintiff to challenge the alienation by his uncle is questionable. The relief against respondent/defendant Nos.2 and 3 was given up vide order dated 07.05.2007, though they were necessary party. All the said facts were within the knowledge of the plaintiff-petitioner.

In view of the matter, the prayer for amendment of the plaint, was rightly declined by the lower court.

The present revision petition is dismissed accordingly.

August 20, 2015
sarita

(KULDIP SINGH)
JUDGE