

Sr. No.226
IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Civil Revision No.6431 of 2014
Date of Decision.13.10.2015

Jang Bahadur and others

.....Petitioners

Versus

Chander Bhan and others

.....Respondents

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. Raj Kapoor Malik, Advocate,
for the petitioners.

None for the respondents.

K. KANNAN J. (ORAL)

The revision petition is brought at the instance of the plaintiffs against an order allowing an amendment to be brought at the fag end of the trial. The suit is between near relations, the defendant being an uncle of the plaintiffs. The suit for declaration with reference to property in Khasra No. 970 is resisted by the uncle contending that he is the owner in possession. At the time of arguments, it appears that he has filed an application to bring an amendment that the property in Khasra No.970 was actually secured on oral exchange with the plaintiff's father for giving up his own claim to the property in khasra No.673/1. The Court had allowed the

amendment holding that the plea was only the nature of explanation and there is no surprise for the plaintiff.

I asked the counsel whether there was any reference in the evidence of defendants about the exchange. The counsel states that there was such evidence but plaintiff himself has not confronted with such a plea in the cross-examination. Considering the fact that an oral exchange is possible and considering further that the parties are close relations who ought to know whether there had been an exchange or not, I will not find any serious prejudice to the plaintiff in allowing for an amendment to the written statement in the manner sought for and allowed before the Courts below. The defendant shall have no further opportunity for tendering any evidence pursuant to the amendment and the case will now only be taken up by the Court for arguments and for disposal in accordance with law.

The order already passed is sustained and revision petition is dismissed but with the above observations.

(K. KANNAN)
JUDGE

13.10.2015

vandana