

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

C.R. No.7872 of 2015 (O&M)

Date of Decision.26.11.2015

Jaswant Singh

.....Petitioner

Versus

Sukhraj Singh and others

.....Respondents

Present: Mr. V.K. Sandhir, Advocate
for the appellant.

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. After the conclusion of the plaintiffs' evidence and defendants' evidence, the defendants brought an application for amendment of the written statement to take up a plea of non-joinder of necessary parties. The Court has framed an issue regarding the maintainability and it has dismissed the application holding that the issue of non-joinder will be considered on the wider issue of maintainability itself. I wanted to assure myself whether there was any prejudice caused to the defendants by denial of amendment. The revision petitioner-defendant is purchaser of some shares from the brothers of one Gurmukh Singh and the widow of Gurmukh Singh. The plaintiffs' contention is that the vendors of the defendant have sold the property in excess of their shares. The issue of whether there has been an excessive sale or whether it conforms to the respective shares which the vendors owned could still be a matter for consideration without

impleading the vendors.

2. There is no prejudice that could be caused and I do not pronounce on the defendant's objection regarding the maintainability, for there is already an issue framed. There is nothing for intervention in the revision petition. The revision petition is dismissed.

(K. KANNAN)
JUDGE

November 26, 2015
Pankaj*