

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

Civil Revision No.7893 of 2013

Date of decision:30.03.2015

Lakhmi Chand

... Petitioner

versus

Gram Panchayat of Village Dostpurand Rajupur Khadar

.... Respondent

CORAM: HON'BLE MR. JUSTICE K. KANNAN

Present: Mr. Kul Bhushan Sharma, Advocate,
for the petitioner.

Mr. Shubham Kaushik, Advocate,
for the respondent.

1. Whether reporters of local papers may be allowed to see the judgment ? No.
2. To be referred to the reporters or not ?No.
3. Whether the judgment should be reported in the digest ? No.

K.Kannan, J. (Oral)

1. The petition for amendment was sought by the plaintiff to bring a plea regarding alternative source of title. His contention was that if his status as occupancy tenant was not proved, it should be taken that he was a tenant of Will and he had a right to hold his possession. The alternative prayer regarding the status of tenancy had not to be taken as introducing a new case which is inconsistent with earlier pleadings. A prayer in alternation is permissible in law and I find nothing very serious to cause prejudice to the defendant

for allowing the pleadings to bring such an alternative prayer. The defendant shall be permitted to file amendment of the pleadings or the additional pleadings in the manner contemplated under Order 8 Rule 9 CPC and after such additional pleadings are made, the court shall allow for the continuation of trial in accordance with law.

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

(K.KANNAN)
JUDGE

30.03.2015
sanjeev