

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

Date of decision:13.01.2015

Joginder Singh

.....Petitioner

v.

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR.JUSTICE JASWANT SINGH

Present:- Mr.Rajesh K.Dadwal,Advocate for the petitioner
Mr.Vaibhav Sharma,DAG Punjab for respondents

Jaswant Singh,J.(Oral)

Plaintiff is in revision aggrieved by the order dated 24.9.2014 (P-5) passed by learned Civil Judge (Junior Division) Dasuya whereby his application for amendment of the plaint and for impleading the Land Acquisition Collector, Department of Industries and Commerce, Punjab has been dismissed.

Learned counsel for the petitioner submits that petitioner / plaintiff has filed a suit for declaration of joint ownership to the extent of ½ share in the suit property, which stands acquired by the Government of Punjab and the question would be entitlement of compensation. In the original plaint, Collector, Hoshiarpur besides the State through Secretary was impleaded as defendants. No doubt, defendants in their reply had taken an objection that the officers of the department for whom the land had been acquired have not been

impleaded. Hence the application for amendment and impleading the officers concerned in the Department of Industries and Commerce, Punjab are sought to be impleaded *albeit* at a belated stage though no prejudice would be caused to the defendants in their evidence.

Upon notice, learned State counsel has very half heartedly contested the revision petition keeping in view the formal nature of amendment and the *lis* between the parties.

Having heard learned counsel for the parties and minutely perused the facts of the case, present revision petition is allowed, impugned order dated 26.9.2014 (P-5) is set aside and the application of the plaintiff/petitioner for amendment is allowed subject to payment of costs of Rs.5000/- to be deposited with District Legal Service Authority, Hoshiarpur.

13.01.2015
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(Jaswant Singh)
Judge