

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

C.R. No.1936 of 2016

Date of Decision.15.03.2016

M/s Satnaam Hegan Ltd.

.....Petitioner

Vs.

Surender Singh and others

.....Respondents

Present: Mr. GBS Dhillon, Advocate
for the petitioner.

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. The suit which was described to have been instituted against Jugal Kishore being the Director/Chairman of M/s Satnam Hegan Ltd as the 1st defendant, an impleadment was sought to describe M/s Satnam Hegan Ltd. through its Director as Jugal Kishore to be impleaded as the 1st defendant. This is objected on the ground that this objection was taken even at the time when the statement was filed initially and the plaintiff had not taken any steps to have it appropriately corrected. It was only at the stage of arguments, the application for correction has been made.

2. It is purely a technical plea relating to how the party shall be described and if the vendor in the agreement propounded was a company through a human agency, the suit should have been filed only against the company and if he had cited the Managing Director of the company as the party, it was bound to be corrected, as otherwise it

would have caused a fatal blow to the plaintiff even if he had succeeded in establishing the agreement to be true.

3. The correction sought to be made through an impleadment application has been allowed by the trial court which, in my view, is an appropriate exercise of discretion not to allow the suit to fail only on some technical flaw in the manner of drawing up a plaint.

4. I will make no interference with the order passed already.

The civil revision is dismissed.

(K. KANNAN)
JUDGE

March 15, 2016
Pankaj*