

243.

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

Civil Revision No.498 of 2014 (O&M)

Date of decision:12.01.2016

Kiranjeet Kaur

.... Petitioner

versus

Sudarshan Kaur and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE K. KANNAN

Present: Mr. Naveen Sharma, Advocate,
for the petitioner.

Mr. Manjit Singh, Advocate,
for respondent No.4.

Mr. Balwinder Singh, Advocate,
for respondents 7 and 8.

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. In a suit challenging the Will said to have been executed by the mother and father brought at the instance of the daughter, the plaintiff has also sought for amendment of the plaint to include references to sale made by the sister and her own son. In the process, the purchasers from the sisters and the daughter who have claimed the property to the exclusion of the plaintiff under two Wills

executed by the father and mother are sought to be impleaded. The suit had been originally filed in Ludhiana and later transferred to Bathinda in 2009. According to the plaintiff, she came to know about the sale only after the transfer.

2. I have noticed that the application has been moved within a period of 12 years from the date of the sales and that therefore no prejudice is caused except that the plaintiff has wasted time of nearly 4 years at the court of Bathinda before she moved this application. For the sheer indiscretion for approaching the court at the belated stage, the plaintiff shall be required to pay costs of ₹10,000/- in two sets to respondent No.4 and respondents 7 & 8 and the amounts shall be paid within 2 weeks from the date of receipt of copy of this order. On the amendment being carried out, the court will order notice to the newly impleaded parties brought through amendment and will set dates for immediately filing the written statement and proceed with the trial.

3. The impugned order is set aside and the revision petition is allowed on the above terms.

(K.KANNAN)
JUDGE

12.01.2016
sanjeev