

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

CR No. 6167 of 2014 (O&M)

Date of decision: February 16, 2016

Pusup Lata Sharma and others

...Petitioners

Versus

Anil Kumar Sharma and others

...Respondents

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?**

Present: Mr. Sukhdeep Parmar, Advocate,
for the petitioners.

Mr. Mrigank Sharma, Advocate,
for the respondents.

K. KANNAN, J. (Oral)

1. Pending a suit for declaration that particular decree obtained by the defendants against the mother was null and void, the plaintiffs wanted to bring an amendment referring to two mutation entries in the year 2006 and also a plea that the compromise was not effected on adequate stamp papers. There is also a prayer for joint possession. One relates to public document and another relates to the validity of the compromise. Nothing is new that can cause a surprise at the trial. Though the Court denied the amendment pointing out to the fact that these facts must have been within the knowledge of the plaintiffs, I will still find that no serious prejudice will be caused to the defendants, if these amendments are brought. Even the prayer for joint possession is consequential to the assertion that they are entitled to

the share of the property of the mother, if the contentions regarding the compromise decree were to fail.

2. For the sheer discretion in delaying the process of trial, I impose ₹10,000/- as costs on the plaintiffs to be paid to the contesting defendants, within two weeks from the date of receipt of a copy of this order.

3. The order already passed is set aside and the revision is allowed on the above terms. The defendants shall be permitted to file an amended written statement or additional written statement in the manner contemplated under Order 8 Rule 9 of the Civil Procedure as amended and the Court may also frame appropriate additional issue on the basis of the pleadings, if they are necessary and proceed with the trial.

February 16, 2016
prem

(K.KANNAN)
JUDGE