

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

C.R. No.776 of 2016
Date of Decision.04.02.2016

Bhup Singh through his LR'sPetitioner
Vs.

Rattan Singh and othersRespondents

Present: Mr. Sudhir Mittal, 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. Though the order passed by the Court that the amendment would bring change to the character of the suit, it ought not to be taken as the only ground that the revision petition could be disposed of. In the present suit, the plaintiffs are seeking to challenge the sales that have taken place from 1952. This amendment seeks to give the details of sales for all the years. Even if it were to be taken that it will not change the character, I am not convinced that the amendment which is sought to be made will bring any sensible issue for trial and it will only bring irrelevant issues for consideration. After all, a sale by a manager-father of the joint family even without necessity is not void in law. It is only voidable and any challenge to alienation ought to be made within three years from the date when the sale took place or if there was any disability to sue by minority of the plaintiff, it shall be within three years when the disability ceased.

2. I do not think any intervention is called for, although for different reasons. The revision petition is dismissed.

(K. KANNAN)
JUDGE

February 04, 2016
Pankaj*