

\$~72

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ CM(M) 1295/2016

JOGINDER PAL SINGH Petitioner
Through Mr.Nimish Chib, Advocate

versus

SUMAN BHASIN & ANR Respondent
Through None.

CORAM:

HON'BLE MR. JUSTICE JAYANT NATH

ORDER

% **16.12.2016**

CM Nos.46391-92/2016 (*exemptions*)

Allowed subject to all just exceptions.

CM(M) 1295/2016 & CM No.46390/2016

By the present petition filed under Article 227 of the Constitution of India limited relief has been sought as by order dated 20.10.2016, the trial court has allowed the application for amendment of the plaint imposing the cost of Rs.40,000/-.

The trial court was of the view that after filing of the plaint, in the written statement itself, which was filed on 15.03.2012, an objection has been taken that valuation para and court fee had not been correctly valued. To the same effect an order has also been passed on 08.07.2014. The application was moved on 19.02.2016, i.e. after a delay of four years. The amendment application was allowed subject to payment of cost of Rs.40,000/-.

The learned counsel appearing for the petitioner submits that the cost is

excessive and penal in nature. He submits that a heavy liability is being imposed on the petitioner.

In view of the above and in the interest of justice, the cost is reduced to Rs.20,000/-. The petition stands disposed of. All the pending applications also stand disposed of.

JAYANT NATH, J.

DECEMBER 16, 2016/v