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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR No. 1351 of 2016 (O/M)
Date of decision : 24.1.2018

Gurmeet Singh Kundi

..... Petitioner

Versus

Harbhajan Singh Kundi and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. G.S. Madaan, Advocate, for petitioner.

Mr. Rohit Rana, Advocate, for,
Mr. Kunal Dawar, Advocate, for respondents No. 1 and 2.

1. Whether the Reporters of local newspaper may be allowed to see the judgment ?
2. To be referred to the Reporter or not.
3. Whether the judgment should be reported in the digest ?

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KULDIP SINGH J. (ORAL)

Impugned in present revision is order dated 2.1.2016 (Annexure-P-1), passed by learned Civil Judge (Senior Division) (NRI Cases), Jalandhar, vide which an application filed for amendment of plaint was dismissed.

I have heard the learned counsels for both the parties and have also carefully gone through the file.

Plaintiffs-respondents had filed a suit for declaration to the effect that they alongwith defendant No. 3 are owners to the extent of half (1/2) share belonging to late Shri Raminder Singh Kundi on the basis of a Will dated 1.9.2009, registered on 2.9.2009. The suit was filed in the year 2010. The evidence of plaintiffs-respondents was stated to be going on. The evidence of plaintiffs-respondents was closed. Plaintiffs-respondents claim that one Gopal Krishan, Deed Writer, was examined on 2.11.2005 and it

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came in his evidence that earlier Wills of Raminder Singh Kundi were cancelled. Plaintiffs-respondents want to mention those all Wills in the plaint.

I am of the view that cancelled Wills are not being agitated by any of the parties. Plaintiffs-respondents claim that Will dated 1.9.2009 is in their favour. Only that Will is to be adjudicated upon. The amendment sought by plaintiffs-respondents is unnecessary and will only delay the disposal of suit. Therefore, instant revision is dismissed.

(KULDIP SINGH)
JUDGE

24.1.2018
sjks

Whether speaking / reasoned : Yes

Whether Reportable : No