

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

CR No. 1152 of 2019

Date of Decision: 27.01.2020

Akhilesh Kumar Sinha

.... Petitioner

Versus

Chandigarh Club Limited and others

... Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Ms. Tarun Jain Sinha, Advocate
for the petitioner.

Mr. Sandeep Vermani, Advocate
for the respondents.

ANIL KSHETARPAL, J. (ORAL)

The plaintiff-petitioner has filed a suit for declaration that demand of Rs. 61,000/- by defendant club is illegal.

The plaintiff claims that he had to forcibly pay the aforesaid amount of Rs. 61,000/- along with interest. After a period of two years, application for permission to amend the plaint was filed for adding the relief of recovery of the amount paid.

Learned trial Court dismissed the application with observation that at this stage, amendment can not be permitted.

The petitioner-plaintiff continues to be the member of the club. Being member of the club, he is required to pay certain amount periodically.

Keeping in view the aforesaid facts, present revision petition is disposed of by observing that ultimately, if the Court while deciding the suit comes to a conclusion that the demand of the amount and payment thereof was not justified, the amount already paid shall be liable to be adjusted towards future payments.

Disposed of.

**(ANIL KSHETARPAL)
JUDGE**

27.01.2020

Maninder

Whether speaking/reasoned : Yes
Whether reportable : No