

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

143

CR-675-2022

Date of decision: 14.09.2022

DALEL SINGH

..Petitioner

Versus

DHARAMBIR

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Namit Khurana, Advocate
for the petitioner.

Mr. Sankalp, Advocate
Mr. Satya Pal Khatri, Advocate
for respondent.

ANIL KSHETARPAL, J(Oral)

The petitioner herein is the defendant in a suit for possession by way of specific performance of the agreement to sell. The trial Court has permitted the plaintiff to correct certain typographical errors and formal amendment in the plaint including seeking further decree of declaration that the transfer of the suit property after the agreement to sell by the defendant in favour of his family member is not binding on his rights. The trial Court after noticing that the trial of the case is at initial stage, allowed the application.

This Bench has heard the learned counsel representing the parties at length and with their able assistance perused the paperbook.

The learned counsel representing the petitioner contends that the application for permission to amend the plaint was filed after a period of 1 and ½ years from the date of written statement filed by the defendant. The written statement was filed on 16.03.2020. Thereafter, due to COVID-19, the Court were partially closed. Only the urgent work was being taken up.

The application was filed on 12.10.2021. The amendments permitted by the Court are mostly the typographical errors. After the execution of the agreement to sell, the defendant has transferred the property in favour of his children by executing a transfer deed. The plaintiff only wishes to claim that such transfer does not affect his rights.

Hence, no ground to interfere is made out.

Dismissed.

All the pending miscellaneous applications, if any, are also disposed of.

September 14th, 2022

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**(ANIL KSHETARPAL)
JUDGE**

<i>Whether speaking/reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>