

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

112

CR No.263 of 2023

Date of decision: 27.02.2023

Balwinder Kaur

....Petitioner

V/s

Jaswant Kumar and others

....Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS SURI

Present: Mr. Amit Arora, Advocate, for the petitioner.

VIKAS SURI, J. (Oral)

After arguing for some time, learned counsel very fairly concedes that in view of the law settled by the Apex Court in *Vidyabai and others vs. Padmalatha and another*, (2009) 2 SCC 409, the petitioner would not succeed in the present revision petition, whereby challenge is to the order dated 17.12.2022, dismissing the application filed by the defendant No.1-petitioner, seeking amendment of the written statement.

Learned counsel for the petitioner is also not in a position to deny from the record that the finding recorded by the Court below regarding the certificate issued by the jail authorities nowhere mentions that Nishan Singh (executant of the agreement to sell) was in custody on the relevant date, i.e. 12.02.2014.

In view of the above, the petitioner has failed to make out a case that would warrant interference by this Court.

The revision petition being bereft of merit, is accordingly dismissed.

**(VIKAS SURI)
JUDGE**

February 27, 2023

vcgarg

Whether speaking/reasoned:

Yes

Whether reportable:

No