



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

112

1. CR-8979-2017

Date of decision: 20.03.2025

BEANT KAUR (DECEASED) THROUGH LRS

..Petitioner

Versus

BALBIR SINGH & OTHERS

..Respondents

2. CR-9004-2017 (O&M)

BEANT KAUR (DECEASED) THROUGH LRS

..Petitioner

Versus

BALBIR SINGH & OTHERS

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Abhinav Gupta, Advocate
for the petitioner.

Mr. Ramesh Sharma, Advocate
for respondent No.2.

Mr. Surinder Sharma, Advocate
for respondent No.3, 4 and 5.

Mr. S.P. Soi, Advocate
for respondent No.11 to 15, 20, 21, 24, 25, 34 and 38.

Mr. Rahul Bhargava, Advocate
for respondent No.18.

ANIL KSHETARPAL, J(Oral)

1. With the consent of learned counsel representing the parties, two connected revision petitions challenging two interlocutory orders, one dismissing the application for permission to amend the plaint and second for impleadment of parties shall stand disposed of by this common order.

2. Late Smt. Beant Kaur was mother of Sh. Balbir Singh (defendant No.1). She executed a power of attorney in favour of Sh. Balbir



Singh, who in turn sold the property through various sale deeds. She filed a suit in the year 2013, claiming that the power of attorney stood revoked, hence, her son had no authority to sell. In the year 2017, two applications were filed, one for seeking declaration that the various other sale deeds executed by her son are also illegal. Those sale deeds were executed in favour of different persons, who were sought to be impleaded as parties in the suit. The trial Court dismissed both the applications. Hence, these revision petitions have been filed.

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

4. Learned counsel for the petitioner in both the revision petition has submitted that one comprehensive suit would be decided if the amendment is allowed. He submits that Smt. Beant Kaur had died and other son namely Sh. Balwinder Singh came to know that his brother Sh. Balbir Singh executed various other sale deeds.

5. This Court has considered the submissions of learned counsel for the petitioner.

6. The scope of suit is sought to be enlarged by challenging all the sale deeds, which were executed by Sh. Balbir Singh as attorney of his mother. New defendants are also sought to be added who will have right to object to the maintainability of the suit on various grounds including period of limitation. It will lead to complexity because the suit may be within the limitation with regard to some of the original defendants but it may not be against the defendants, who are sought to be added.



- 7. Hence, the plaintiff may, if, so advised, file fresh suit, if permissible in law.
- 8. With these observations, this Court declines to interfere with the impugned order.
- 9. Consequently, both the revision petitions are disposed of.
- 10. All the pending miscellaneous applications, if any, are also disposed of.

March 20th, 2025

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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned : *Yes/No*
Whether reportable : *Yes/No*