

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

Civil Revision No. 3285 of 2015 (O&M)

Date of decision : 14.5.2015

Satish Kumar

... Petitioner

VS

Vipin Kumar

... Respondent

Coram: Hon'ble Mr. Justice Rajesh Bindal

Present: Mr. Pawan Kumar, Senior Advocate with
Mr. Abhimanyu Batra, Advocate, for the petitioner.

Rajesh Bindal, J.

Challenge in the present petition is to the order dated 1.5.2015 passed by the learned court below whereby the application filed by the respondent-plaintiff for amendment of the plaint, was allowed.

In the case in hand, the suit was filed by the respondent-plaintiff for permanent injunction restraining the petitioner-defendant from alienating the suit property. It is claimed in the suit that an agreement to sell dated 4.10.2013 was executed by the petitioner-defendant in favour of the respondent-plaintiff. As in the plaint at certain places instead of the date of agreement being 4.10.2013, it was mentioned as 3.10.2013, whereas at some places, it was correctly mentioned, the application for amendment was filed. The same having been allowed, the order has been challenged in the present petition.

The contention raised by learned counsel for the petitioner is that with the amendment, the plaintiff has been permitted to change the date of agreement to sell, which was never executed. However, the contention is misconceived.

A perusal of the plaint filed by the respondent-plaintiff shows that though in some paragraphs, the date of agreement was mentioned as 3.10.2013 registered on 4.10.2013, however, at some places it was mentioned as 3.10.2013 only. The same can very well be a typographical

error, which has been permitted to be corrected by the learned court below.
The suit was at the initial stage. No prejudice is going to be caused to the
petitioner. There is no error in the order passed by the learned Court below
in allowing the application for amendment.

The present petition is, accordingly, dismissed.

14.5.2015
vs

(Rajesh Bindal)
Judge