

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

**CR No. 635 of 2014(O&M)
Date of decision: 17.12.2015**

Ram Partap

... Petitioner

versus

Pritam Singh

.... Respondent

CORAM: HON'BLE MR. JUSTICE K. KANNAN

Present: Mr. Dinesh Sharma, Advocate for the petitioner.

None for the respondent.

K.Kannan, J.

The application for amendment of the decree which carried out a mistake that had crept out in the plaint in describing the khasra No. in a suit for specific performance was declined. The Court had upheld the plaintiff's claim to purchase the property on the basis of an agreement that described the property as under in its recital:

“Khewat Khatauni No. 1131/1624 (khasra No. 9888/8623/459 (0-7))”

While describing the property in the plaint the plaintiff decree holder had described the property as:

“Khewat/Khatoni No. 1137/8623/459 (0-7)”

There is an obvious omission to refer to the khasra No. correctly, in the manner referred to in the agreement. The extent remains the same, khatoni No. remains the same. Khasra No. 8623/459 finds expressed both in the agreement and in the plaint, however, reference to khasra No. 9888 occurring before 8623 had been omitted. So, also reference to Khatauni No. 1624 is omitted in the plaint. It is an obvious mistake and it would require to be corrected to secure

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effectively the rights which the decree holder has obtained after full fledged contest.

The order declining the amendment is set aside and the revision petition is allowed as prayed for in the Court below.

(K.KANNAN)
JUDGE

17.12.2015

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