

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

CR No.1376 of 2016
Date of decision : 28.07.2016

Sarwan Singh

...Petitioner

Versus

Ravi Dutt

...Respondent

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL.

1. Whether reporters of local newspapers may be allowed to see judgment ?
2. To be referred to reporters or not ?
3. Whether the judgment should be reported in the Digest ?

Present: Mr. A.S. Khinda, Advocate for the petitioner.

AMIT RAWAL, J. (Oral)

The petitioner-plaintiff is aggrieved of the impugned order, whereby application seeking amendment of the plaint at the initial stage has been declined as due to inadvertence in the plaint, description of the property was mentioned as 8 kanals 0 marlas instead of 8 kanals 4 marlas. Realizing the aforementioned mistake, the application has been moved and same has been declined.

Notice of motion was issued to the respondent but there is no representation. Accordingly, I proceed to decide the present revision petition.

Facts noticed above, leaves no manner of doubt that

amendment sought in plaint was not allowed as due to inadvertence and clerical mistake, same can always be allowed as it would not fatal to the either side, much less, not amount to alter the nature of the suit. Moreover, amendment is in consonance with the revenue record and, therefore, Courts below ought to have taken into consideration these facts thus in, my view, committed illegality and perversity in declining the application.

Accordingly, impugned order is set aside. Application seeking amendment of the plaint is allowed.

Revision petition is allowed.

28.07.2016

pawan

**(AMIT RAWAL)
JUDGE**

Whether speaking/reasoned: Yes

Whether reportable:- Yes/No