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

CR-2528-2014

Date of decision : 15.02.2016

Deb Karan

...Petitioner

Versus

Gurbackhsh Ram and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present: Ms. Mannat Anand, Advocate for
Mr. Pritam Saini, Advocate
for the petitioner.

Ms. Monika Arora, Advocate for
Mr. Rajesh Goyal, Advocate
for the respondent Nos.1 to 4.

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

AMIT RAWAL, J. (ORAL)

The petitioner-defendant No.4 is aggrieved of the impugned order dated 10.02.2014, whereby the application filed under Section 151/152 of the Code of Civil Procedure (hereinafter called 'CPC') for correction in the decree dated 06.04.2013 which was passed on the basis of the compromise, has been dismissed.

It has been submitted that a joint application was filed for correction of the decree as inadvertently, in the compromise in

paragraph Nos.1 and 2 instead of defendant No.4, defendant No.5 was mentioned and in paragraph No.3, instead of defendant No.5, defendant No.4 was written. The said application has been dismissed on the ground that there is no arithmetical error.

I have heard the learned counsel for the parties and appraised the paper book.

Since, the decree aforementioned has been passed on the basis of the compromise and since there was an error in the compromise, decree has been made as part of the compromise, it falls within the realm of Section 152 CPC, accordingly, the application was maintainable.

Keeping in view the aforementioned facts, the impugned order dated 10.02.2014 is set aside and the application filed under Section 151/152 CPC is allowed and the corrected compromise is ordered to be placed on record. The trial Court is directed to pass the decree in terms of the corrected/fresh compromise.

With the aforesaid observations, the revision petition is disposed of.

15.02.2016
yogesh

(AMIT RAWAL)
JUDGE