

Civil Revision No.3622 of 2016 (O&M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

C.R.No.3622 of 2016 (O&M)

Date of Decision: July 15, 2016

Surat Singh (deceased) through his L.R.

...Petitioner

Versus

Tejinder Singh

...Respondent

CORAM: HON'BLE MR.JUSTICE AMIT RAWAL, JUDGE

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?

Present: Mr.Malkeet Singh, Advocate,
for the petitioner.

Mr.Veneet Sharma, Advocate,
for the respondent.

AMIT RAWAL, J. (Oral)

Petitioner-plaintiff is aggrieved of the impugned order with regard to dismissal of the execution application.

Mr.Veneet Sharma Advocate has put in appearance on behalf of the respondent and submits that application under Order 6 Rule 17 CPC, as noticed in the impugned order, regarding the amendment of typographical mistake in the agreement, where, in place of khasra

No.1348 min, Khasra No.1345 min has been mentioned, is statedly pending adjudication. Liberty may be granted to the petitioner to file a fresh execution after the adjudication of the application under Order 6 Rule 17 CPC.

Mr.Malkeet Singh, learned counsel for the petitioner submits that instead of dismissing the execution, the same could have been kept pending.

I have heard the learned counsel for the parties and appraised the paper book and of the view that there is force and substance in the submission of Mr.Sharma as execution of the unamended decree cannot be sought and rightly so, has been dismissed with liberty to file afresh execution after adjudication of the application under Order 6 Rule 17 CPC.

I do not find any illegality and perversity in the impugned order. The same is upheld.

Revision petition stands dismissed.

July 15, 2016
ramesh

(AMIT RAWAL)
JUDGE