

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

**CR No.4182 of 2017(O&M)
Date of Decision: 03.07.2017**

Sham LalPetitioner

Versus

Sanjay Oberoi and others ... Respondents

CORAM:-HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present:Mr. Rohit Khullar, Advocate
for the petitioner.

RAJ MOHAN SINGH, J.(ORAL)

Application under Order 6 Rule 17 CPC has been allowed. Change of date in agreement to sell from 06.01.2011 to 08.01.2011 has been allowed on the ground that there was typographical mistake as claimed by the plaintiff. The suit itself is at initial stage and the same would not affect the merits of the case. Plaintiff is still to lead evidence. The prayer of the plaintiff has been contested by the defendants on the ground that there was tampering of date from 5th to 8th and then the present application came to be filed. Even at the back of agreement to sell i.e. receipt, there is a specific recital of 05.01.2011 and there was overwriting over the digit “8” on the agreement to sell.

At this juncture, the plea of defence cannot be appreciated. The suit itself is at initial stage. The plea of plaintiff would be decided with reference to evidence which is yet to be led by the parties at the relevant stage. The plea of alleged

tampering would also be decided by the Court in accordance with law at the relevant stage.

No fault can be found in the impugned order dated 19.05.2017. This revision petition is accordingly dismissed.

03.07.2017		(RAJ MOHAN SINGH)
prince		JUDGE
Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No