

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

128

CR No.4802 of 2017 (O&M)

Date of decision: 18.12.2017

Narinder Singh

..... Petitioner

Versus

Barinder Singh

..... Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr. Raj Kumar Gupta, Advocate
for the petitioner.

Mr. Munish Gupta, Advocate
for the respondent.

ANIL KSHETARPAL, J. (ORAL)

Plaintiff-petitioner is in the revision petition against the order dismissing the application for amendment of the plaint so as to correct typographical error while mentioning rectangle number in which the land is located.

Learned trial Court has dismissed the application on the ground that the amendment would change the nature of the suit and the case is at the final stage.

I have heard learned counsel for the parties at length and with their able assistance gone through the order passed by the Court below.

It is not in dispute that the plaintiff-petitioner is only wanting to correct a typographical error in the rectangle number of the land appearing in the plaint. Khasra number remains the same. The plaintiff had filed a suit for permanent injunction and the parties were alive to the issue.

Taking into consideration these facts, the impugned order is set aside. Plaintiff-petitioner is permitted to amend the plaint. However, learned counsel for the respondent submits that since he has already led his evidence, therefore, he should be granted one opportunity to lead any further evidence, if so required.

In view of the aforesaid, the revision petition is allowed. Defendant shall be granted opportunity to file amended written statement and opportunity to lead any further evidence, if required.

Learned counsel for the petitioner has very fairly stated that he does not require any opportunity to lead evidence.

Revision petition is allowed.

18.12.2017
Dinesh Bansal

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned Yes / No

Whether Reportable Yes / No