

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

215

CR-5455 of 2014

Date of Decision:14.07.2017

Ram Dass @ Pal Singh

.....Petitioner

Versus

Bhagat Ram and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE RAMESHWAR SINGH MALIK.

Present: Mr.Neeraj Sharma, Advocate,
for the petitioner.

Mr.Rajesh Verma, Advocate,
for the respondents.

RAMESHWAR SINGH MALIK, J.(Oral)

Feeling aggrieved against the impugned order dated 20.09.2013 passed by the learned trial court, dismissing the application of the plaintiff-petitioner for correction of two khasra numbers, he has approached this Court by way of present revision petition, filed under Article 227 of the Constitution of India, for setting aside the impugned order (Annexure P-3).

Notice of motion was issued.

Heard learned counsel for the parties.

A bare perusal of the impugned order dated 20.09.2013 (Annexure P-3) would make it crystal clear that the learned counsel for the respondents before the learned trial court had made a fair statement that he would have no objection in case the application moved by the plaintiff is allowed. However, the learned trial court did not accept the concession

given by the learned counsel for the respondents, while proceeding on a

wholly misconceived approach and passed the impugned order giving rise to the present avoidable litigation.

It has gone undisputed before this Court that it was only a typing mistake qua two khasra numbers which came to be typed incorrectly. Neither the area under these khasra numbers is in dispute nor any other objection was being raised by the other side because it was an inadvertent and bonafide mistake. Such an application ought to have been allowed by the learned trial court.

Consequently, while setting aside the impugned order dated 20.09.2013 (Annexure P-3), application moved by the petitioner seeking correction in two khasra numbers is allowed. The learned trial court is directed to carry out the necessary correction in the judgment and decree dated 15.06.2010 passed in Civil Suit No.270 dated 12.11.2003 titled as **Ram Dass Versus Bhagat Ram and others.**

Learned counsel for the parties are *ad idem* that correct Khasra Nos. were 15/3/1(1-2) and 15/19/1(6-4). Let the abovesaid correction be carried out by the learned trial court without any further loss of time.

No other argument was raised.

Resultantly, with the above-said observations made and directions issued, instant revision petition stands allowed, however, with no order as to costs.

July 14, 2017
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(RAMESHWAR SINGH MALIK)
JUDGE

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No