

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

C.R. No. 7775 of 2017 (O&M)

Date of decision:- 20.11.2017

Tej Paul Singh

...Petitioner

Versus

Harbans Kaur and ors.

...Respondents

***CORAM: HON'BLE MS. JUSTICE RITU BAHRI***

Present:- Mr. Raman Goklaney, Advocate  
for the petitioner.

Mr.S.K. Goklaney, Advocate  
for respondent No.1-caveator

**RITU BAHRI J. (Oral)**

This petition under Article 227 of the Constitution of India is for setting aside order 05.08.2017 passed by learned Addl. Civil Judge (Sr. Divn), Ferozepur and decree sheet dated 05.08.2017.

It is not in dispute between the parties that respondent No. 1/plaintiff has filed an application (P-3) under Section 152 CPC for amendment of the plaint as well as judgment and decree sheet dated 28.11.2008. However, while passing the impugned order (P-1), only the amendment in the judgment and decree has been allowed and applicants shown in the revenue record were ordered to be corrected as 1/4<sup>th</sup> share in place of 1/5<sup>th</sup> share out of total land measuring 1506 kanal 12 marlas. But no order was passing on the amendment of the plaint.

Learned counsel for respondent No. 1-caveator has further informed the Court that even correction has not been rightly done as per original plaint.

In view of the above factual position, order dated 05.08.2017 (P-1) is set aside. The revision petition is ***disposed of*** and liberty is granted to the respondent No. 1/plaintiff to make a fresh application for amendment of the plaint as well as judgment and decree sheet dated 28.11.2008 and the trial Court shall pass a fresh order on the application filed by respondent No. 1/plaintiff after giving due notice to the parties.

November 20, 2017  
G Arora

( ***RITU BAHRI*** )  
***JUDGE***

***Whether speaking/reasoned***  
***Whether reportable***

***Yes***  
***No***