

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

CR-145-2017 (O&M)

Date of decision : 16.5.2018

Munish Lamba through his LRs

..... Petitioners

Versus

Punjab National bank and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Karan Gupta, Advocate for the petitioner.

Mr. D.K.Gupta, Advocate for the respondents.

1. *Whether the Reporters of local newspaper may be allowed to see the judgment ?*
2. *To be referred to the Reporter or not.*
3. *Whether the judgment should be reported in the digest ?*

KULDIP SINGH J. (ORAL)

Impugned in the present revision petition is the order dated 6.9.2016 (Annexure P-1) passed by learned Civil Judge (Junior Division), Phillaur vide which while exercising the powers under Section 152 of the Civil Procedure Code, 1908 the judgment and decree dated 19.1.2015 passed by learned Civil Judge (Junior Division), Phillaur was corrected. In paras No. 1 and 2 on Page No. 14, in place of defendants, the legal heirs of defendant No. 1 was added.

Heard.

Learned counsel for the petitioner contends that it is not a typographical error.

I have examined the original judgment and decree which shows that the averments were that defendant No. 1 (now deceased) through his

LRs had taken the loan from the plaintiff. Defendant No. 2 was the Bank and made necessary party on account of mortgaged of the property with the Bank. There is no averment that defendant had taken loan from the plaintiff.

As such, no decree could be passed against the Bank. Therefore, it was an error apparent on record and has been rightly corrected.

There is no illegality or infirmity in the impugned order dated 6.9.2016, passed by learned Civil Judge (Junior Division), Phillaur.

Dismissed.

(KULDIP SINGH)
JUDGE

16.5.2018

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Whether speaking / reasoned
Whether Reportable:

Yes
No