

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CR No. 2769 of 2016

Date of decision: 18.04.2018

Narul Islam

...Petitioner

V/s.

Chander Parkash

...Respondent

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH.

Present: Mr. Vipul Dharmani, Advocate for the petitioner.

Mr. Parminder Singh Kanwar, Advocate for the respondent.

KULDIP SINGH, J. (Oral)

The impugned in the present revision is to the order dated 12.01.2015 (Annexure P-7) passed by learned Additional Civil Judge (Senior Division), Gurgaon vide which an application filed under Order 9 Rule 13 C.P.C by the present petitioner for giving his address in the title of the suit as House No. 865, Sector 23A, Gurgaon, Haryana in place of 75 Khera Devat Road, 8 Biswa, Mahabirpur, Gurgaon was dismissed. The Trial Court dismissed the application on the ground that this is contrary to the pleadings. I am of the view that if the parties want to furnish correct address, it is not the amendment of pleadings. It is for the communication with the Court and for the information to the opposite party. Its effects on the merits of the application will be seen by the trial Court at the appropriate stage. Therefore, trial Court gravely erred in dismissing the application.

In view of the above, the Civil Revision is allowed. The address of the applicant as given in the application is ordered to be

corrected. The Trial Court is at liberty to examine the effects of the said correction while deciding the application.

(KULDIP SINGH)
JUDGE

18.04.2018

Divyanshi

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No