

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

237

CR-3773-2017

Date of Decision : September 19, 2019

BHEESHAM DEV AND ANR.

.....Petitioners

VERSUS

KRISHAN BALDEV AND ORS.

.....Respondents

CORAM: HON'BLE MS. JUSTICE NIRMALJIT KAUR

Present : Mr. A.K.Singal, Advocate
for the petitioners.

Mr. C.S.Singal, Advocate for
Mr. Ajay Ghangas, Advocate
for respondent No.1.

Mr. Ashwani Talwar, Advocate
for respondent No.2.

NIRMALJIT KAUR, J. (Oral)

Prayer in the present revision is for setting aside the order dated 1.11.2016 vide which the petitioners were proceeded against exparte and order dated 22.2.2017 passed by Civil Judge(Sr. Divn), Panipat vide which the application under Sections 152-153 read with section 151 CPC for correction of error in the judgment and decree dated 30.5.2015 has been allowed.

While praying for setting aside the said order, learned counsel for the petitioners submitted that he is admittedly not served in the application for correction in the judgment and decree dated 30.5.2015 and, therefore, the order dated 22.2.2017 deserves to be set-aside.

It is not disputed that the decree was passed in the presence of the petitioners. The said decree attained finality and has not been challenged till date. However, erroneously in the ninth line of the decree, the share of defendants No.1 to 5 being co-sharers in house No.436-L, Model Town, Panipat was held to the extent of 4/5th instead of 5/6th. This fact that it was erroneously mentioned and is a typographical error is not disputed. Under these circumstances, this Court finds no reason to set-aside the orders dated 1.11.2016 and 22.2.2017 vide which the correction was ordered. No prejudice at all has been caused to the petitioners. Therefore, this Court finds that the present petition is totally misconceived.

Dismissed accordingly.

September 19, 2019
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(NIRMALJIT KAUR)
JUDGE

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