

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

**CR No.7930 of 2018
Date of Decision: 15.03.2019**

Ravinder Kaur and others

..... Petitioners

versus

General Public and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Vijay Rana, Advocate
for the petitioners.

SUDIP AHLUWALIA J. (ORAL)

1. This revision petition is directed against the impugned order passed by the Ld. Civil Judge (Senior Division) (NRI Court), Jalandhar on 22.10.2018.
2. Vide the impugned order, the application filed on behalf of the petitioners under Section 152 of the CPC praying for correction of the original final order passed in CIS No.1508 of 2018 on 06.07.2018, was rejected.
3. It may be mentioned that the original matter had been disposed off by way of grant of Succession Certificates in favour of the petitioners regarding the assets left behind by deceased Gurdev Singh, husband of petitioner No.1 and father of rest of three petitioners. The matter was disposed off *ex parte* as none of the respondents had chosen to contest the claim.
4. The grievance of the petitioners is that there was a *bona fide* typing mistake in the original application *qua* petitioner No.4 alone in whose case, the name “Gurvinder Kaur Sohal” was wrongly typed as

“Gurwinder Kaur Sohal”, and her address instead of being typed as “B74, 3DA” was wrongly mentioned “V74, 3DA”, and that the age of petitioner No.1 Ravinder Kaur instead of “52 years” was wrongly typed as “62 years”.

5. Perusal of the original order granting the succession certificates dated 06.07.2018 (Annexure P-1) goes to show that the same was passed *ex parte* since none of the respondents including the General Public had chosen to contest the claim. Consequently, there is no need for issuance of any fresh notice in the present revision.

6. As already noticed, the petitioners have conceded that the mistakes which had occurred in the original order were on account of *bona fide* typographical errors, the description of which has already been noted earlier.

7. In the opinion of this Court, the Ld. Court below ought not to have been so strict/hyper-technical in dealing with the petitioners' application under Section 152 of the CPC. It had been fairly conceded that the typographical errors in the original application were on the part of the petitioners themselves, and in any case, those errors do actually appear to be the result of the basically wrong spellings or difference in hearing the sounds when the incorrectly typed name, address or even the age in the original application are compared *qua* the actual name, address and date. The revision is, therefore, disposed off after setting aside the impugned order.

8. The Ld. Court below is directed to do the needful again in correcting the original order dated 06.07.2018, in accordance with the application of the petitioners rejected vide the impugned order.

9. Petitioners are directed to appear before the Ld. Court below on
03.04.2019.

March 15, 2019
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(SUDIP AHLUWALIA)
JUDGE

Whether speaking/ reasoned : Yes/ No

Whether reportable : Yes/ No