

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

**CR No. 848 of 2018(O&M)
Date of decision : 01.05.2019**

Jaswant Kaur

..... Petitioner

versus

Chanchal Singh

..... Respondent

CORAM : HON'BLE MR. JUSTICE AMIT RAWAL

Present: Mr.J.S.Dadwal, Advocate for the petitioner.

Mr.Baljinder Singh, Advocate for the respondent.

AMIT RAWAL, J. (ORAL)

The short point involved in the present petition is whether the application of petitioner for amendment of the application under Order 9 Rule13 CPC correcting the name of the husband of the petitioner as Jasmel Singh instead of Chanchal Singh can be denied for setting aside the ex parte judgment and decree, the answer would be “No” for, it is not the case of the petitioner herein that by virtue of seeking the aforementioned correction she wants to amend the contents of the affidavit in support of the application under Order 9 Rule 13 CPC or lead evidence in the proceedings in the application under Order 9 Rule 13 CPC. Learned counsel for the respondent expressed apprehension but the contents of the application do not support, the court below should not have been stringent to decline such innocuous plea.

The revision petition is thus allowed and the impugned order is set aside .

(AMIT RAWAL)
JUDGE

01.05.2019
sunita

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No