

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

CR-579-2018 (O&M)

Date of decision : 03.02.2020

Bachan Singh

...Petitioner

Versus

Jang Singh and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. H.P.S. Ghuman, Advocate for the petitioner.

Mr. Saurabh Kaushik, Advocate for respondent No.1.

Mr. Ankush Chowdhary, Advocate for respondent Nos.5, 7(ii), 2(i), 2(a), 2(ii), 4(ii), 8(v), 8(i), 8(ii), 8(iii), 11, 9, 10, 13, 8(iv), 6, 7(i) and 7(iii),

ANIL KSHETARPAL, J. (ORAL)

The plaintiff-petitioner has filed the present revision petition against the order dated 10.11.2017 passed by Civil Judge, Junior Division, Nabha, District Patiala, whereby an application for permission to amend the plaint, has been dismissed. Learned Court has recorded various reasons to dismiss the application.

The plaintiff had filed an application seeking amendment of the plaint by alleging that while making calculation, the plaintiff has prayed for grant of decree to the extent of 46/1024th share in the undivided property whereas he is entitled to more than 46/1024th share.

This Court has considered the submissions. The trial Court

while passing the final decree is entitled to mould the relief in order to do substantive justice between the parties.

In such circumstances, the present revision petition is disposed of, while directing the trial Court to pass judgment and decree in accordance with law. The Court, if, ultimately comes to a conclusion that there was some calculation/arithmetical error in calculating the share of the plaintiff, the Court will be entitled to mould the relief accordingly.

03.02.2020

Pawan

**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No