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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CM(M) 188/2020 and CM APPLs. 6204-05/2020**

URMILA DEVI

..... Petitioner

Through: Mr. R.K. Sharma, Advocate (M;
9313340162).

versus

PRAJAPATI BRAHMA KUMARIS ISHWARIYA VISHWA
VIDHYALYA

..... Respondent

Through: None.

CORAM:

JUSTICE PRATHIBA M. SINGH

ORDER

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17.02.2020

1. The present petition challenges the impugned orders dated 5th April 2018 and 19th July, 2018, by which the Trial Court has permitted the Plaintiff/Respondent (*hereinafter*, “*Plaintiff*”) to correct a typographical error in paragraph 2 of the plaint by filing an amended plaint.
2. The case of the Petitioner/Defendant (*hereinafter*, “*Defendant*”) is that the order dated 5th April, 2018, by which the error was permitted to be corrected by filing an amended plaint, is contrary to law as the procedure for amending the plaint, as prescribed under Order VI Rule 17 CPC, was not followed. It is further urged that the time which was granted to file the amended plaint has also not been adhered to and hence, the order deserves to be set-aside.
3. The suit is one for possession and recovery of Rs. 55,240/-. In paragraph 2 of the unamended plaint, the property is mentioned as bearing **No.1715**, Pili Kothi, Nahar Shahdat Khan, S.P. Mukerjee Marg, Delhi.

However, in the prayer clause, the property number is mentioned as **1711**. This error was brought to the notice of the Trial Court on 5th April, 2018. The Court noticed that the description of the property was incorrect only in paragraph 2 and in all the other parts of the plaint the correct description had been given. Accordingly, the Trial Court directed the filing of an amended plaint. On 19th July, 2018, since there was a delay in filing of the amended plaint, the same was taken on record subject to costs of Rs. 2,500/-.

4. These two orders have been challenged more than one and a half years later. The impugned orders being purely procedural in nature i.e., only to correct a typographical error, no interference is warranted in this case. Moreover, the Defendant has not brought to the notice of this Court any orders passed subsequent to the order dated 19th July, 2018. The suit may have proceeded further and hence, at this stage, this Court is not inclined to interfere in this matter.

5. The petition is accordingly dismissed. All pending applications are also disposed of.

PRATHIBA M. SINGH, J.

FEBRUARY 17, 2020

MR