

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

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**CR-5900 of 2018 (O&M)
Date of decision: 22.12.2022**

Rishi Pal and another

..Petitioners

Versus

Krishan Kumar and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Tehjas Bansal, Advocate, for
Mr. Sanjiv Kumar Aggarwal, Advocate,
for the petitioners.

Mr. Vineet Chaudhary, Advocate, for respondent no.1 and 2.

ANIL KSHETARPAL, J(Oral)

1. In a suit for grant of decree of possession, the plaintiffs' application for permission to amend the plaint has been dismissed on the ground that new facts are sought to be incorporated in the plaint.

2. The only amendment sought by the plaintiffs is with regard to the correction of the date on which the defendants allegedly encroached upon the plaintiffs' land. It is claimed that inadvertently, the date of encroachment has been referred to as 01.10.2014 which should be 01.09.2014, because the demarcation took place on 13.09.2014.

3. The trial Court has misdirected itself, while dismissing the application. It is obvious that if the demarcation took place on 13.09.2014, reporting the encroachment, the date of encroachment cannot be 01.09.2014. A small typographical error has not been permitted to be corrected by the trial Court.

4. Keeping in view the aforesaid fact, the amendment application is allowed. The plaintiffs shall be permitted to correct the typographical

5. Since the error is inconsequential, hence, the trial Court will proceed further with the suit and shall not start denovo proceedings in the suit.
6. The revision petition is allowed.
7. All the pending miscellaneous applications, if any, are also disposed of.

December 22, 2022
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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No