

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

129

**CR-1371 of 2021 (O&M)
Date of decision: 13.09.2022**

**Greater Mohali Area Development Authority (GMADA)
and others**

..Petitioners

Versus

Gurpreet Singh

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Sunpreet Singh, Advocate, for
Mr. Sehaj Bir Singh, Advocate
or the petitioners.

Mr. Manoj Kumar, Advocate
for the respondent.

ANIL KSHETARPAL, J(Oral)

The Greater Mohali Area Development Authority (GMADA) has filed the present revision petition challenging the correctness of the order passed by the trial court while dismissing their application for permission to correct the typographical mistake in their already filed written statement. In para 3 of the written statement, the word 'correct' has been typed which is to be substituted with the word 'incorrect'. The dispute is with regard to existence of Dairy in a controlled area which is regulated by the Punjab Regional and Town Planning and Development Act, 1995 (hereinafter referred to as 'the 1995 Act'). Under the 1995 Act, the agricultural land cannot be used for any other purpose without seeking prior permission to change the land use. The plaintiff has filed a suit claiming that he is using the aforesaid area by constructing a cattle shed and therefore, the officials of the GMADA should be restrained from demolishing it.

On the other hand, the GMADA has taken a stand that the shed already stands demolished as it was in violation of the 1995 Act. The trial court has dismissed the application on the ground that it has been filed at a belated stage.

Such typographical errors, like in this case, can even be permitted to be corrected after the judgment has been passed in exercise of powers under Section 152 and 153 of the Code of Civil Procedure, 1908, for a fair trial. The view taken by the trial court is myopic/narrow.

Keeping in view the aforesaid facts, the application is allowed. The petitioners are permitted to carry out the amendment as prayed for.

The order under challenge is set aside.

The revision petition is allowed.

All the pending miscellaneous applications, if any, are also disposed of.

September 13, 2022

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**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned : *Yes/No*

Whether reportable : *Yes/No*