

In the High Court of Punjab and Haryana, at Chandigarh

Civil Revision No. 8897 of 2018

Date of Decision: 06.07.2022

Babu Lal

... Petitioner(s)

Versus

Roshan Lal and Others

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.

Present: Mr. Sanjay Mittal, Advocate
for the petitioner(s).

Mr. Vijay Lath, Advocate
for the respondents.

Anil Kshetarpal, J.

1. There is an *ex parte* decree granting permanent injunction dated 01.10.2003 against the petitioner. In other words, the petitioner is a judgment debtor. During the pendency of execution petition, it transpired that the decree has been passed with reference to the property situated in rectangle No. 21 khasra No. 7, whereas actually, it should be rectangle No. 21 khasra No. 1/7. An application under Section 152 CPC, 1908 read with Section 151 CPC, 1908 was filed by the decree holder. The Court, after appointing A Local Commissioner, came to the conclusion that there is a typographical error as rectangle No. 21 khasra No.7 does not exist. Hence, the Court permitted the correction of the typographical error.

2. Heard the learned counsel representing the parties, at length and with their able assistance, perused the paper-book.

The learned counsel representing the petitioner contends that

such amendment could not be permitted by the Court without amending the plaint. He submits that the suit was filed with reference to the property comprised in rectangle No. 21 khasra No. 7.

4. After hearing the arguments and perusing the report submitted by the Local Commissioner, this Court is of the considered view that there is a typographical/printing error. Section 152 CPC, 1908 enables the Court to correct the clerical or arithmetical mistakes in judgments, decrees or orders, including the errors arising therein from any accidental slip or omission and the same may be corrected by the Court at any point of time or at any stage of proceedings.

5. In the facts of the present case, there is an obvious printing/typographical error arising from an accidental slip which has been ordered to be corrected. Hence, no ground is made out to interfere. Consequently, the present revision petition is dismissed.

(Anil Kshetarpal)
Judge

July 06, 2022
“DK”

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No