

2023:PHHC:140397

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

CR-451-2023 (O&M)

Date of decision: 03.11.2023

Amritpal Singh

....Petitioner

Versus

Gurdial Kaur (died) through her LRs and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr. Vivek K Thakur, Advocate for the petitioner

Mr.Som Nath Saini, Advocate for respondent no.1(i)
and 2

ANIL KSHETARPAL, J (Oral)

1. By filing the present revision petition under Article 227 of the Constitution of India, the correctness of the order dated 08.12.2022, passed by the learned Civil Judge, Junior Division, Kharar, has been challenged. The court has allowed the application filed under Sections 151, 152 and 153 of the Code of Civil Procedure, 1908. The court has merely corrected the memo of parties of the suit. During the pendency of the suit, Smt. Gurdial Kaur-defendant no.1 died. Her grandchildren were brought on record as her legal representatives. However, while passing the final judgment, there was a mistake in the memo of parties, as the names of her legal representatives were not reflected as the plaintiff filed amended memo of parties without incorporating their names.

2. Learned counsel representing the petitioner contends that the court fell in error in allowing the application after a period of 16 years. In fact, this was the mistake of the court. The court was bound to correct it. The provisions of Sections 152 and 153 of the Code of Civil Procedure, 1908, enable the court to carry out such corrections, even after the suit is decided. Hence, no ground to interfere is made out.

3. Dismissed.

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

03.11.2023

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)

JUDGE