

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(118)

CR No. 2316 of 2023
Date of Decision : 19.04.2023

Madan Salaria

...Petitioner

Versus

Baljit Singh and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Ms. Himani Kapila, Advocate for the petitioner.

Harsimran Singh Sethi J. (Oral)

The present civil revision petition has been filed against the order dated 11.01.2023 (annexure P-5) by which the learned Civil Judge (Sr. Divn.) on an application filed for making correction in the judgment and decree dated 29.03.2017, has corrected the typographical error in the judgment and decree.

Learned counsel for the petitioner submits that in the present case, once an application was filed for correction of a typographical error, the notice should have been issued to the other side but in the present case, no notice was issued before correcting the judgment and decree in question though, only a typographical error was prayed to be corrected hence, the impugned order dated 11.01.2023 (Annexure P-5) is liable to be set-aside.

Though, it would have been a better option to issue notice to the other side before correcting even the typographical error but on being

asked as to what prejudice has been suffered by the petitioner, no prejudice has been brought to the notice of this court as such. Once the judgment and decree was only corrected to describe the land in question and it is a conceded position that in the proceedings conducted before the passing of the judgment and decree in question, both the parties conceded the land in dispute to be described as land in Killa No. 11/1(2-4), Rect. No. 31, which was wrongly mentioned in judgment as Killa No. 11/2(2-4) due to typographical error.

In the absence of any prejudice being suffered by the petitioner, which is brought to the notice of this Court, this court will not like to exercise its jurisdiction in the present civil revision petition.

Dismissed.

April 19, 2023
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No