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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR-4314-2023 (O&M)

Date of Decision: 16.08.2023

ROHIT @ ROHAN SAINI

...Petitioner

Versus

DHARAMPAL AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE GURBIR SINGH

Present:- Mr. Rao Ajender Singh, Advocate
for the petitioner.

GURBIR SINGH, J.(Oral)

1. The prayer in this petition under Article 227 of Constitution of India for setting aside the impugned order dated 13.09.2022 passed by learned MACT Narnaul whereby an application moved by the petitioner under Sections 151 and 152 of CPC in claim petition under Sections 166/144 petition was dismissed.

2. A copy of the application is annexed with the petition as Annexure P-3. This petitioner is actually seeking amendment of the original claim petition as well as in the award so that amount deposited in the name of the petitioner in the shape of FDR be released to him since in the documents his name is written as Rohan Saini son of Subhash Saini .

3. Learned counsel for the petitioner has relied on case **Runa Devi @Patra & Ors. vs. State of Orissa & Ors 2014(89) RCR(Civil) 882** authority of Hon'ble Orissa High Court.

4. Heard.

5. The award was passed in the Lok Adalat and petitioner was minor at that time and now he has attained the majority and as per Aadhar Card his name

as written as Rohan Saini. The learned Court was required to come to

conclusion if petitioner was earlier known by the name of Rohit and now he is known by name Rohan Saini. For said purpose inquiry is required to be conducted. The learned Court passed the order without giving opportunity to the petitioner to prove the same.

6. Thus impugned order is set aside. The learned Court is directed to pass the fresh order, after conducting inquiry if necessary.

Petition stands disposed off.

Petitioner is directed to appear in the concerned Court on 05.09.2023.

16.08.2023
Himanshu

(GURBIR SINGH)
JUDGE

Whether reasoned/speaking: Yes/No
Whether reportable: Yes/No