

134 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR-460-2023

Date of decision :24.01.2024

Madho Krishan @ Madhav Jindal
and another

...Petitioners

Vs.

Harbir Singh Sandhu and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Ms. Monika Tanwar, Advocate
for the petitioners.

Mr. Madav Singal, Advocate
for respondent No.1.

ANIL KSHETARPAL, J.

1. It is sad that the trial Court has refused to give permission to correct a typographical error of incorrect rectangle number while describing the suit land in the plaint. The plaintiff filed a suit for possession by way of partition of 74 marlas land. In the plaint, he submitted that the aforesaid land is comprised in rectangle No. 77. Rectangle No. 77 was referred because in the revenue record there was an error. Subsequently, the aforesaid revenue record was corrected. The corrected rectangle number is 11. The plaintiff filed an application for correction, which was unfortunately dismissed by the trial Court on the ground that the case is at the final stage and a *de novo* trial would take place.

2. In the considered view of this Court, the trial Court has not even understood the concept of amendment. There was no substantive amendment, which was prayed for by the plaintiff. It was only a correction of a typographical error, which is permitted even after the final judgment is passed under Sections

152 and 153 of the Code of Civil Procedure, 1908.

3. Hence the petition is allowed and the impugned order dated 08.12.2022 is set aside.

24.01.2024		(ANIL KSHETARPAL)
neeraj	Whether speaking/reasoned :	JUDGE
	Whether Reportable :	Yes No
		Yes No