

CR-6173-2017

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr. No.114

CR-6173-2017
Date of Decision: 01.04.2024

NAIB SINGH AND ANR

....Petitioners

Versus

SHER SINGH AND ORS

.....Respondents

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Vijay Lath, Advocate
for the petitioners.

ARCHANA PURI, J. (Oral)

At this stage, learned counsel for the petitioner submits that the impugned order dated 09.08.2017 was challenged on three counts. Firstly, relating to the correction to be made in the name of defendant No.3, as ‘*Virinder Singh*’ instead of ‘*Binder Singh*’ and further two directions to the defendants to disclose the name of the tenants inducted in the premises in question and also seeking to add relief of mandatory injunction in the head note and prayer clause.

However, the three reliefs sought were declined, vide the impugned order. Now, learned counsel for the petitioner submits that since the tenants have already vacated the premises in question, hence he confines his prayer only qua relief No.1, for making of correction in the name of defendant No.3, as ‘*Virinder Singh*’ instead of ‘*Binder Singh*’.

Learned counsel for the respondents submits that he has no objection to the acceptance of the revision petition, *vis-a-vis* the correction

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of the name, as prayed in relief No.1. Copy of the plaint, which is Annexure P-1, reveals about the suit having filed against respondents/defendants for issuance of permanent injunction, for letting out any portion out of the property, which is in their possession, in which they resided. In the said suit, defendant No.3 is stated to Binder Singh. However, correction of his name is intended to be made, by way of amendment. The suit is at the stage of recording of plaintiff evidence.

Considering the no objection having been given by learned counsel for the respondents and also considering the initial stage of the case, the revision petition, as such, is accepted and the impugned order is set aside and necessary correction of the name of *‘Binder Singh’* as *‘Virinder Singh’* is hereby allowed, as prayed in relief No.1.

As such, the instant revision petition stands disposed of.

01.04.2024
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(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No