

2025:PHHC:007574



**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH**

Sr. No.115**CRR(F)-51-2025 (O&M)****Date of decision : 20.01.2025**

Amandeep Singh

..... Petitioner

VERSUS

Gurpreet Kaur

..... Respondent

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Present: Mr. Sahil Vashishat, Advocate, for the petitioner
Through video conferencing.

KIRTI SINGH, J. (Oral)

1. The present petition has been preferred against order dated 05.11.2024 passed by learned Principal Judge, Family Court, Ludhiana, vide which application dated 11.07.2024 filed by the petitioner for amendment in the affidavit of assets and liability has been dismissed.

2. The brief facts of the case are that the respondent-wife had filed a petition under Section 125 Cr.PC bearing Sr. No.MNT/372/2023 against the petitioner-husband seeking maintenance. The parties had submitted affidavits of assets and liabilities, however, when the petitioner-husband engaged a new counsel in the case, he brought to notice of the petitioner-husband that due to inadvertent mistake made by the previous counsel, it has been mentioned in the affidavit of the assets and the liabilities that the petitioner-husband is not income tax assessee, however, the petitioner-husband was an income tax assessee and had even filed income tax reports. The petitioner-husband filed an application seeking amendment in the affidavit of assets and liabilities and same was dismissed vide order dated

2025:PHHC:007574



3. Learned counsel for the petitioner-husband *inter alia* contends that the Addl. Principal Judge, Family Court, Ludhiana has grossly erred while dismissing the application seeking amendment of the affidavit. The counsel who was earlier engaged by the petitioner-husband made inadvertent typographical mistake which was not in the knowledge of the petitioner-husband and was subsequently brought to the notice of the petitioner-husband and the petitioner-husband immediately moved an application seeking amendment of the affidavit without wasting of the time. The mistake is *bona fide* and is without any malice.

4. Having heard the learned counsel for the petitioner-husband and after perusing the record with his able assistance, this Court finds no force in the arguments advanced by learned counsel for the petitioner-husband. The present petition is decided *in limine* in order to save litigation cost of the respondent-wife and also to save the judicial time of the Court.

5. A perusal of the record of the case in hand reflects that the affidavit of assets and liabilities was duly attested by the petitioner-husband himself and now, the petitioner-husband cannot seek amendment of the affidavit at a belated stage that too citing a mistake allegedly, made by the counsel. Learned counsel for the petitioner-husband has not been able to indicate any perversity in the impugned order which warrants interference by this Court. Accordingly, the present petition is dismissed being bereft of any merit.

6. Nothing observed hereinabove shall be construed to be an expression of opinion by this Court lest it may prejudice the trial. The learned Court below is directed to proceed with the trial on its own merits,

2025:PHHC:007574



7. Pending miscellaneous application(s), if any, also stand(s) disposed of.

(KIRTI SINGH)
JUDGE

20.01.2025
Ramandeep Singh

Whether speaking / reasoned
Whether Reportable

Yes/No
Yes/No