



**119 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CR No. 2857 of 2026 (O&M)
DATE OF DECISION: 02.04.2026**

MRS. SUMAN NAGPAL AND ANOTHER

.....PETITIONERS

Vs.

ANIL SETIA AND ANOTHER

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE AMARINDER SINGH GREWAL

Present: Mr. Arun Singal, Advocate,
for the petitioners.

AMARINDER SINGH GREWAL, J.(ORAL)

1. Prayer in the present Civil Revision Petition filed under Article 227 of the Constitution of India is for setting aside the impugned order dated 11.03.2026 (Annexure P-6), passed by the learned Civil Judge (Junior Division), Panipat, whereby the application filed by the petitioners for amendment of the plaint for correcting the sale deed number mentioned therein has been dismissed.

2. Brief facts of the case are that the petitioners have filed a suit for declaration with consequential relief of permanent injunction against the respondents regarding the suit property bearing a portion of 206-R, Model Town, Panipat, measuring 338 square yards, vide sale deed bearing 'Vasika' No. 3542 (sic. 5040) dated 11.09.1997 (Annexure P-1). Notice of the suit was issued to the respondents-defendants, who appeared and filed their written statement (Annexure P-3). Issues were framed and the parties led their respective evidence before the learned trial Court.



2.1 At a subsequent stage, the petitioners moved an application under Order VI Rule 17 read with Section 151 of the Code of Civil Procedure, 1908 (for short, “the CPC”) for amendment of the plaint (Annexure P-4), submitting that while preparing for final arguments and perusing the record, a typographical mistake had come to their notice. The error was that in paragraph No. 1 of the plaint, ‘*Vasika*’ No. 3542 dated 11.09.1997 had inadvertently been mentioned, whereas the correct ‘*Vasika*’ No. is 5040, dated 11.09.1997. Notice of the said application was issued to the respondents-defendants, who contested the same by filing their reply (Annexure P-5). The learned trial Court, after hearing learned counsel for the parties, dismissed the said application vide order dated 11.03.2026 (Annexure P-6), which is now under challenge. Aggrieved against the same, the present petition has been filed by the petitioners before this Court along with a copy of the sale deed dated 11.09.1997 (Annexure P-2), wherein ‘*Vasika*’ No. 5040 stands clearly mentioned.

3. Learned counsel for the petitioners submits that the said mistake occurred inadvertently due to a typographical error and neither the petitioners nor their counsel had any *mala fide* intention. It is further submitted that all relevant facts were brought to the notice of the learned trial Court; however, the application was erroneously dismissed.

4. In view of the facts of the present case, this Court is of the opinion that issuance of notice to the respondents would unnecessarily delay the proceedings; accordingly, issuance of notice to the respondents is dispensed with.



5. Keeping in view the above facts and circumstances and after hearing learned counsel for the petitioners, this Court is of the considered opinion that at the time of filing of the suit, the petitioners had wrongly mentioned ‘*Vasika*’ No. 3542 dated 11.09.1997 instead of ‘*Vasika*’ No. 5040 dated 11.09.1997. The learned trial Court ought to have allowed the application, as the mistake occurred due to a typographical error. Moreover, learned counsel for the petitioners has contended that no further evidence is required to be led and only an amended plaint is to be filed before the learned trial Court.

6. Accordingly, the present petition is allowed. The impugned order dated 11.03.2026 (Annexure P-6), passed by the learned Civil Judge (Junior Division), Panipat, is hereby set aside. The petitioners are directed to file an amended plaint before the learned trial Court incorporating ‘only’ the correct ‘*Vasika*’ No. 5040 dated 11.09.1997.

7. The petition stands disposed of accordingly.

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

APRIL 02, 2026

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Whether Speaking

Whether Reportable

(AMARINDER SINGH GREWAL)

JUDGE

Yes

No