



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

(115)

CR-6416-2025

Date of Decision:-12.09.2025

LUXMI

... Petitioner

Versus

GENERAL PUBLIC

... Respondent

-.-

CORAM: HON'BLE MR. JUSTICE VIRINDER AGGARWALPresent:- Mr. Rajesh Bansal, Advocate,
for the petitioner.

VIRINDER AGGARWAL, J. (Oral)

1. The petitioner while seeking supervisory jurisdiction of this Court under Article 227 of the Constitution of India has filed the present Civil Revision Petition against the order dated 11.02.2021 (Annexure P-1) passed by Civil Judge (Senior Division), Panipat, order dated 09.08.2023 (Annexure P-2) passed by Civil Judge (Senior Division), Panipat and order dated 11.07.2025 (Annexure P-3) passed by Additional District Judge, Panipat.

2. Perusal of the order dated 11.02.2021 shows that the guardian of minors was granted permission to sell the immovable property of the minors subject to the condition that 50% of the amount of total sale proceeds of the share of the minors be deposited in a nationalized Bank fetching maximum interest till they attain the age of majority.

3. Petitioner moved another application seeking permission to make necessary correction in the judgment and for allowing her to spend the entire sale consideration for purchase of land measuring 3 kanal 19 marla within the area of Tehsil Safidon, District Jind as per Agreement to Sell dated 10.02.2023 and the condition to deposit 50% amount in the account of minors be dispensed with and the words "or to purchase some other land in the name of minor children from the



sale proceeds” after the words “fetching maximum interest” be inserted in the judgment. The learned Civil Judge (Senior Division), Panipat dismissed the application.

4. An appeal was preferred before Additional District Judge, Panipat and that appeal was dismissed vide order dated 11.07.2025 on the grounds that appeal against the impugned order is not maintainable and appellant was granted liberty to avail the remedy available to her as per the law and vide the present revision petition, all the three impugned orders has been assailed. Considering the order passed by learned Additional District Judge, Panipat, it cannot be concluded that the learned Additional District Judge, Panipat has not exercised jurisdiction vested in him rather by declining the appeal, the learned Additional District Judge, Panipat has acted in legal manner as appeal against the order passed by learned Civil Judge (Senior Division), Panipat dated 09.08.2023 was not maintainable.

5. As regards the order dated 09.08.2023 is concerned, the learned Civil Judge (Senior Division), Panipat, vide that order has declined the application by recording cogent and convincing reasons.

6. The relevant portion of the impugned order reads as under:-

“Section 152 of C.P.C. provides for correction of clerical or arithmetical mistakes in judgments, decrees or orders or errors arising therein from any accidental slip or omission. Clearly, this Court is not vested with the power to modify the judgment dated 11.02.2021 as has been prayed for by applicant-petitioner by way of present application.”

7. Perusal of the impugned order clearly shows that the application filed by the petitioner for insertion of another condition in the impugned order dated



11.02.2021 by way of exercise of jurisdiction vested as per provisions of Section 151 and 152 of CPC was not warranted as there was no clerical or arithmetical error in the impugned order and it is settled law that the orders of the Courts are based upon pleadings of the parties and the learned counsel for the petitioner has failed to prove on record that there was any such pleading in the initial petition, whereby the condition with regard to purchasing some other land in the name of minor children from the sale proceeds could have been inserted in the order dated 11.02.2021.

8. Perusal of the impugned order dated 11.02.2021 clearly shows that it has been passed in conformity with the petition filed by the petitioner and permission to sell the immovable property of the minor was granted to the petitioner as guardian of the minors and protection of interest of the minors is foremost in the mind of the Courts, when permission is granted to the guardians to deal with the property of minors and in order to protect the interest of minors, condition was imposed that 50% of the sale proceeds of immovable property be deposited in some nationalized bank fetching maximum interest till their attaining the age of majority.

9. In the light of above, the Courts below has not committed any illegality or irregularity warranting interference of this Court while exercising revisional jurisdiction.

10. In view of this, the present petition is dismissed. Pending application(s), if any, is/are disposed of accordingly.

12.09.2025

S. Pathania

(VIRINDER AGGARWAL)
JUDGE

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No