



CR-1051-2024 (O&M)

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IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH203

CR-1051-2024 (O&M)

Date of decision : 03.02.2025

Ram Babu and another

..... Petitioners

VERSUS

Omkar

..... Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Amit Kumar Jain, Advocate, for the petitioners.

ANIL KSHETARPAL, J. (Oral)

1. The respondent despite receipt of notice from the Court has not chosen to enter appearance in this revision petition.
2. The petitioner herein has filed a suit for grant of decree of permanent injunction restraining the defendant to construct over 3 feet portion marked by letters 'CDEF' in the site plan.
3. During the pendency of the suit, plaintiffs filed application for permission to amend the plaint in order to rectify typographical/printing error. The plaintiffs claimed that an injunction has been sought qua 4 feet 6 inches and not with respect to 3 feet.
4. The counsel representing the petitioner has drawn the attention of the Court to the assertion made in para No.3 and 4 of the plaint. Learned trial Court has dismissed the application on the ground that the case is at the stage of final disposal.
5. Inadvertent typographical errors can be permitted to be amended after the decision of the suit in terms of Sections 152, 153 of the CPC. The approach of the trial Court was not correct as such errors should have been permitted to be corrected particularly when the plaintiff does not wish to

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lead any further evidence. Hence, the impugned order passed on 06.01.2024 is set aside. Application filed by the petitioners shall stand allowed. The trial Court is requested to place on record copy of the amended plaint which had already been filed. The Court shall proceed with the case in accordance with law.

(ANIL KSHETARPAL)
JUDGE

03.02.2025**anil**

Whether speaking / reasoned Yes/No

Whether Reportable Yes/No