



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

(117)

CR-6302-2025 (O&M)
Date of Decision:-**10.09.2025**

SHRI DURGA SEWA SAMITI

... Petitioner

Versus

NARESH KUMAR AND ORS.

... Respondents

CORAM: HON'BLE MR. JUSTICE VIRINDER AGGARWAL

Present:- Mr. Aniket Aggarwal, Advocate and
Mr. Akinchan Aggarwal, Advocate
for the petitioner.

VIRINDER AGGARWAL, J. (Oral)

1. This revision petition has been preferred under Article 227 of the Constitution of India, invoking the supervisory jurisdiction of this Court, seeking to set aside the order dated 08.08.2025 (Annexure P-9) passed by the learned Additional Civil Judge (Senior Division), Narwana, whereby the petitioner's application for amendment of the plaint was declined.

2. The petitioner/plaintiff instituted a suit for injunction wherein it was averred that the plaintiff-Samiti was registered on 16.06.2015. The said date, however, was incorrectly reflected in the plaint due to an error on the



part of the authorities, as is evident from Annexure P-5, i.e., the information supplied by the District Registrar of Firms and Societies, Jind. It is clarified therein that the date 16.06.2015 came to be reflected in Form No. 6 due to a technical fault on the department's website. Upon discovering this mistake, the petitioner moved an application for amendment of the plaint to incorporate the correct date of registration of the Samiti as 05.06.1973 and also to bring on record the registration certificate dated 17.12.2024.

3. The trial Court, after considering the reply and hearing the parties, dismissed the application vide the impugned order on the reasoning that *“it cannot be accepted that despite due diligence, the plaintiff could not know that it was relying on a wrong date of registration. It cannot be termed as an overlook, a bona fide mistake, an inadvertent error, or typographical fiasco.”* However, a perusal of the material placed on record clearly shows that the error occurred due to a mistake on the official website of the Registrar of Firms and Societies, Jind.

4. It is noteworthy that the case is still at the initial stage, the trial has not yet commenced, and the amendment sought does not in any manner alter the nature of the suit. The amendment is purely clarificatory in nature, intended only to rectify a clerical error in the date of registration of the Samiti. Thus, the learned Additional Civil Judge (Senior Division) committed a material irregularity in exercising jurisdiction in declining the application.

5. In view of the above, the application for amendment of the plaint stands allowed.



6. It is, however, clarified that the observations made hereinabove shall not be construed as any expression of opinion on the merits of the case and are strictly confined to the adjudication of the present controversy.

7. Since the main case has been decided, any pending miscellaneous application(s), if any, shall also stand disposed of.

(VIRINDER AGGARWAL)
JUDGE

10.09.2025
Gaurav Sorot

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No