

**IN THE SUPREME APPELLATE COURT GILGIT-BALTISTAN,
GILGIT.**

Civil Misc. No. 77/2017

In

Under Objection No. 11/2016.

Mst. Gumboori & another

Petitioners.

Versus

Maherban Shah & another

Respondents.

PRESENT:-

1. Mr. Muhammad Hussain Shehzad Advocate alongwith Mr. Johar Ali Khan Advocate-on-Record for the petitioners.

ORDER DATED: - 02.08.2017.

The office has raised certain objections for filing belatedly an application under Section 151 CPC read with Order 33(5) of Supreme Appellate Court Rules to correct and insert as Civil Suit decreed instead of set aside in the impugned judgment dated 21.10.2015 as the Civil Appeal No. 01/2011 filed by the petitioner was allowed.

2. Mr. Muhammad Hussain Shehzad learned counsel for the petitioners submits that where correction in typing mistake(s) under Section 152 CPC is sought no limitation runs for filing such application. He prays that the office objections may graciously be overruled.

3. In view of the above, the office objections are overruled and the delay is condoned.

4. He further submits that while passing short order dated 21.10.2015, this court was pleased to allow the appeal of the

petitioners. Consequent thereto, the Civil Suit No. 82/2001 filed by the petitioners in the Court of learned Civil Judge Punial/Ishkomen was decreed in favour of the petitioners. Subsequently, while writing reasons of the short order inadvertently and due to typing mistake instead of decreeing the suit of the petitioners it was typed that the judgment/decreed of the learned Civil Judge Punial Ishkomen is set aside.

5. We have heard the learned counsel for the petitioners and after perusing our short order dated 21.10.2015 as well as detailed judgment dated 25.11.2015, we agree with the contentions raised by the learned counsel for the petitioners. Consequently, the Civil Misc. Application bearing under objection No. 11/2016 is allowed as prayed. The Civil Suit No. 82/2001 filed by the petitioners in the Court of learned Civil Judge Punial Ishkomen is decreed. The last Para of the detail judgment dated 21.11.2015 is corrected accordingly.

6. The petition is disposed off in above terms.

Chief Judge.

Judge.