

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA
AT CHANDIGARH

CR No.5301 of 2014

Date of decision: February 19, 2015.

Union of India and others

... **Petitioners**

v.

M/s Friends Auto and another

... **Respondents**

CORAM: **HON'BLE MR. JUSTICE DR. BHARAT BHUSHAN PARSOON**

Present: Shri Atul Aggarwal, Advocate, for the petitioners.
Shri Manoj Kaushik, Advocate for the contesting respondent.

Dr. Bharat Bhushan Parsoon, J. (Oral):

Counsel for defendants No.1 and 2 in the suit and petitioners herein has claimed that after amendment of the plaint, allowed by the lower court, amended written statement was to be furnished which could not be furnished because the government pleader for defendants No.1 and 2, petitioners herein, could not make appearance and did not inform the department. It is claimed that it was only a clerical mistake which was allowed to be corrected while allowing amendment in the plaint. It is urged that the amended written statement to the amended plaint is ready and can be filed on any date.

Counsel for the contesting respondent has objection to the filing of the written statement.

This objection from the respondent is of no consequence because the written statement is already there and only clerical mistake is

sought to be corrected and prayer is restricted to the extent of filing amended written statement to the amended plaint by removing the clerical mistake.

In the facts and circumstances of the case, by setting aside the impugned order, the petitioners are allowed to file amended written statement to the amended plaint, however, subject to payment of costs of Rs.5,000/- to be paid to the opposite party.

Petition stands disposed of.

The parties shall appear in the court below on 17.3.2015.

February 19, 2015.
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[Dr. Bharat Bhushan Parsoon]
Judge