

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

C.R. No.1165 of 2016

Date of Decision.16.02.2016

Prem Chand Pandey

.....Petitioner

Vs.

M/s Dev Giri Export

.....Respondent

Present: Mr. Rajesh Bansal, Advocate
for the petitioner.

CORAM:HON'BLE MR. JUSTICE K. KANNAN

1. Whether Reporters of local papers may be allowed to see the judgment ?
2. To be referred to the Reporters or not ?
3. Whether the judgment should be reported in the Digest?

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K. KANNAN J. (ORAL)

1. Through amendment of the written statement, the defendant wants to bring an additional plea that there was a complaint to higher police official before whom the plaintiff appeared and admitted to make some payment in full quit of all claims. This was denied by the plaintiff. Earlier it appears that the defendant had moved an application to cause an admission made by the plaintiff and filed an petition to that effect. The plaintiff denied it and they withdrew the application. After withdrawing the application, the defendant filed an application for amendment to the written statement.

2. The nature of amendment is such that if it is not true, the plaintiff will be entitled to make his own version of what had happened by filing a rejoinder and no prejudice can be caused by allowing for amendment to be made. The court shall always be liberal in allowing for amendment to the written statement even if it means inconsistent

averments. So long as there is no withdrawal of admission, it cannot cause any prejudice.

3. I decline to make any intervention in the revision petition.

The revision petition is dismissed.

(K. KANNAN)
JUDGE

February 16, 2016
Pankaj*