

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

CR No. 3288 of 2015 (O&M)

Date of decision :08.01.2016

Sandeep

..... Petitioner.

Versus

President Jat Education Society and another

.....Respondents

CORAM : HON'BLE MR. JUSTICE DARSHAN SINGH

Present: Mr.R.K.Malik, Sr. Advocate
with Mr. Kuldeep Sheoran, Advocate
for the petitioner.

Mr. Dhiraj Chawla, Advocate
for respondents.

DARSHAN SINGH, J. (Oral)

The present revision petition has been preferred against the order dated 18.04.2015, vide which the application moved by the petitioner for amendment of the appeal has been dismissed.

Learned counsel for the petitioner contended that during the pendency of the appeal, the services of the petitioner were terminated by the respondents vide order dated 29.10.2011. The amendment was sought only to challenge the said termination order which was only a subsequent event as the status quo order granted by the Tribunal was not extended.

The aforesaid factual position has not been disputed

at bar by the learned counsel for the respondents.

As the petitioner only wants to make the amendment to challenge the termination order dated 29.10.2011 in the appeal filed by him before the Tribunal, which is admittedly a subsequent event. So, the impugned order passed by the learned Tribunal is not sustainable as the amendment in the pleadings should be allowed to determine the real and all the questions in controversy between the parties. As far as the delay is concerned in moving the application, the respondents can be well compensated by way of costs.

Thus, keeping in view of my aforesaid discussion, the present revision petition is hereby allowed. The application filed by the petitioner for amendment of the appeal stands allowed subject to Rs. 5000/- as costs.

08.01.2016

S.khan

(DARSHAN SINGH)
JUDGE