

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

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CR No.7719 of 2017
Date of Decision:09.11.2017

M/s Hanuman Trading Co. and another

...Petitioners

Versus

Punjab State Civil Supplies Corporation Limited and another

...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Gaurav Singla, Advocate
for the petitioners.

ANIL KSHETARPAL, J.(Oral)

Defendants-petitioners are in revision petition against the order dated 11.10.2017 dismissing the application for amendment of the written statement. The Court has noticed that the defendants have admitted the document pleaded by the plaintiff, therefore, amendment cannot be allowed.

On the other hand, learned counsel for the petitioners has drawn attention of the Court to Para 5 of the written statement, which is extracted as under:

*“That para no.5 of the plaint is wrong and denied.
It is denied that the defendants took delivery of 35689
bags of paddy weighing 23197.85 quintals of paddy. It
is also denied that out of the same, defendant delivered
only 11060.65 quintals of rice to the FCI and thus
4326.48 quintals of rice was delivered short rather the
true facts are that the defendants gave 13182.80 quintals
of rice to the plaintiff against which 30575 bags i.e.*

19675.125 quintals of paddy was given to the defendants for milling. Meaning that 10250 bags weighing 9735.85 quintals, 1500 bags weighing 750 quintals & 3600 bags weighing 2696.96 quintals of rice were given by the defendants to the Department between 13.12.1999 to 06.06.2001. The copy of paddy rice stock account statement Annexure-P3 is correct one. ”

He submits that in the last line by typographical mistake the word “not” has been typed.

This Court has no doubt in its mind that the pleadings have to be read as a whole and one line in the pleadings cannot be taken in isolation and read separately from the entire written statement. If there is any typographical mistake, the Court would consider the same at the time to decision of the case while considering the evidence led by the parties.

With these observations, the revision petition is disposed of.

09.11.2017
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(ANIL KSHETARPAL)
JUDGE

Whether Speaking/Reasoned: Yes
Whether Reportable : No