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

**Civil Revision No.3459 of 2018
Date of Decision: 18.12.2018**

**HARYANA STATE AGRICULTURE MARKETING BOARD
PANCHKULA & ANR.Petitioners**

Vs

JAI PARKASH JAGLANRespondent

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present:Mr. Pritam Singh Saini, Advocate
for the petitioners.

Mr. Jagdish Manchanda, Advocate
for the respondent.

RAJ MOHAN SINGH, J. (Oral)

[1]. Petitioners have assailed the order dated 04.09.2017 passed by the Civil Judge (Sr. Divn.) Panchkula, vide which application under Order 6 Rule 17 filed by the petitioner for amendment of the written statement was partly allowed.

[2]. The proposed amendment is to incorporate plea that case of Dayal Singh being under consideration before the LR Haryan has been declined. The case set up by the plaintiff before the trial Court is that he is entitled for promotion with effect from the date on which his junior Dayal Singh was promoted.

[3]. Factum of case of Dayal Singh being under consideration will not change the original stand of the defendants taken in the written statement. Even otherwise, amendment of written statement is to be liberally construed and the same is on different pedestal than the one meant for amendment of the plaint.

[4]. It is a settled principle of law that all necessary amendments are to be allowed. The effect is to be seen by the trial Court at the relevant stage.

[5]. In view of above, this revision petition is allowed. Impugned order dated 04.09.2017 passed by the Civil Judge (Sr. Divn.) Panchkula is modified. Normal consequences to follow.

December 18, 2018

Atik

Whether speaking/reasoned

Whether reportable

(RAJ MOHAN SINGH)
JUDGE

Yes/No

Yes/No