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

**Civil Revision No.6100 of 2016 (O&M)
Date of Decision:10.01.2020**

Ram Sarup Dass

..... petitioner

Versus

Umesh Kumar and Anr.

..... Respondents

CORAM:- HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. M.K. Singla Advocate
for the petitioner.

Mr. Raman Mohinder Sharma, Advocate
for the respondents.

ANIL KSHETARPAL, J.(Oral)

Defendant-petitioner is in the revision-petition against the order passed by learned trial Court dismissing an application for permission to amend the written statement.

It has been pleaded that inadvertently in para Nos.3 and 5 of the written statement, there are certain clerical errors/omissions with respect to the quantum of amount.

It is apparent from the reading of the pleadings that dispute between the parties is with respect to recovery of amount. The plaintiffs claims that they are entitled to Rs.1,41,467/-whereas in the written statement, defendant claimed that actually, he is entitled to recover Rs.3,49,441.69/- from the plaintiffs.

Keeping in view the aforesaid facts, the entire case of the parties depends upon the evidence to be led. It is to be determined by the

Court as to what is amount, the plaintiffs are entitled to recover in the present suit because there is no counter-claim filed by the defendant.

Keeping in view the aforesaid facts, the present revision-petition is disposed of by directing the Court to work out the amount payable to the plaintiff, if any, on the basis of evidence and the defendant shall be entitled to content that there is some inadvertent error in the written statement.

If the defendant prays for opportunity to lead any further evidence, same shall be granted while giving counter opportunity to the plaintiffs.

Disposed off.

(ANIL KSHETARPAL)
JUDGE

10th January 2020

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Whether speaking/reasoned Yes/No
Whether reportable Yes/No