

CR-1527-2021
Date of Decision:- 18.08.2021

PARAMJIT

...Petitioner

Versus

SONA DEVI AND OTHERS

... Respondents

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL**Present:** Mr. Dinesh Mahajan, Advocate, for
the petitioner.**SUDHIR MITTAL, J. (Oral)**

The petitioner is respondent No.2 in the claim petition. He has filed his written statement taking the objection that he is not the owner of the vehicle which was involved in the accident. Ownership had already been transferred in favour of respondent No.1. To elaborate this plea, an application for amendment of the written statement was filed but the same has been rejected by the Tribunal.

Learned counsel for the petitioner submits that law regarding amendment of written statements is very liberal. Moreover, the petitioner could not plead agreement dated 25.2.2019 executed by respondent No.5 (respondent No.1 before the Tribunal) whereby he has admitted his liability as owner of the vehicle. Thus, the Tribunal was in error in rejecting the application for amendment.

There is no dispute with the proposition of law that amendment of written statement should be allowed liberally. However, each case is to be decided on its own facts. In the instant case, objection regarding transfer of ownership has already been raised in the written statement and the trial Court, while dismissing the application for amendment has held that this plea can be elaborated upon while leading evidence. Thus, the petitioner should

have no apprehension and it is not necessary to plead agreement dated 25.02.2019.

In view of the above, revision petition has no merits and is dismissed.

18.08.2021
Neelam

(SUDHIR MITTAL)
JUDGE

Whether speaking /reasoned	Yes/No
Whether Reportable	Yes/No