

IN THE COURT OF CIVIL JUDGE JUNIOR DIVISION, LUDHIANA

- 1) Mitter Sain Goyal & Mitter Sain Meet, son of Sh. Sehj Ram Gupta, aged 68 years, resident of 279, St. No. 5, Upkar Nagar, Civil Lines, Ludhiana.
 - 2) Harbaksh Singh Grewal, son of Joginder Singh, aged 70 years, resident of 526/2, B-35, Near Government Senior Secondary School, Sunet, BRS Nagar, Ludhiana.
 - 3) Rajinder Pal Singh, son of Sh. Gurdial Singh, aged 68 years, resident of Near Water Tank, Hambran Road, Backside PAU Wall, Dashmesh Nagar, Ayali Khurd, Ludhiana. Plaintiffs.
- Plaintiff.....

Versus

1. State of Punjab through Principal Secretary, Higher Education and Language Department, Punjab.
 2. Director of the Language Department, Sheranwala Gate, Patiala, Punjab
 3. District Language Officer, Punjabi Bhawan, Ludhiana
- Defendants....

Reply by Smt. Veerpal Kaur, Joint Director, Language Department, Punjab, Patiala on behalf of Defendants No. 1 to 3 to the application submitted by the plaintiff under Order 6, Rule 17 of CPC for amendment

Preliminary Objections:

1. That no cause of action accrued to the applicant/plaintiff to file the present application to seek amendment, as it will not affect the matter at hand, since the applicant has already raised such objection in the plaintiff.
2. That the applicant has come to the court with ulterior motives to harass the respondents and waste the precious time of the Honorable Court. Moreover, the applicant wants to prolong the court proceedings and to prevent the suspension of the stay order of the Honorable Court dated July 19, 2021
3. That the amendment sought in the plaint is not mandatory because it will deprive the 108 awardees of their rights, as declared in December 2020 by the State. Advisory Board constituted by the Government of Punjab. Moreover, the awardees are elderly. Some of them have even passed away.
4. That the court has no territorial jurisdiction to hear the present application as nothing has happened in Ludhiana in the context of this complaint.
5. That the present applicant has knowledge of the facts at the time of the complaint.

On merit:

1. That paragraph 1 of the application is admitted to the extent that the above-noted case is pending in the Hon'ble Court and is now set for February 13, 2023.

2. That paragraph 2 of the application is incorrect and therefore denied, as respondents 1 through 3 have already filed the detailed written statement.

11-A) That paragraph 11-A for seeking amendment in the complaint is incorrect and therefore denied, as the factual position has already been explained in the written statement. The reply shall be read as part of this application and may be reiterated here.

As regards the name of Gulzar Singh Sandhu considered for Sahit Ratan, it is stated that the State Advisory Board considered his name after due consideration. His official capacity as president of Sahit Sabha, mentioned in the plaintiff, is denied, for the record. (A copy of his biographical data is attached as R-I.) Regarding the relationship of Veerpal Kaur, Joint Director, as the sister of Dhanwant Kaur, and Surjit Singh Pattar being a student of Joginder Singh Kairon, the statement given by the plaintiff is incorrect and denied. Veerpal Kaur was not involved in the selection process at any stage. Moreover, Surjit Pattar is an eminent figure, familiar to many writers. He never recommends anyone. In the State Advisory Board, a single person cannot decide the awardee. After deliberations, the State Advisory Board makes the collective, consensus decision to select the awardees. Regarding the names of Urdu writer Dr. Nadeem Ahmad, Shri Mohammad Basheer, and Shri Rehman Akhtar, the detailed reply has already been filed by the respondents as they filed application under Order 1, Rule 10 of the Code of Civil Procedure in this Honorable Court. The reply to the application may be considered part of this application.

3. That paragraph 3 of the application is incorrect, as a detailed reply has already been submitted by the respondents and is therefore denied, as no amendment is required to decide the suit or the stay application. It is only to prolong the case to prevent the expiration of this stay order of the Honorable Court.

That the applicant's prayer is incorrect, therefore denied, as the applicant is not entitled to the relief requested.

It is therefore respectfully requested that the applicant's application is devoid of merit and may be dismissed at cost.

Submitted by:

(Veerpal Kaur)
Joint Director, Language Department,
Punjab. On behalf of defendants 1 to 3.
Place: Ludhiana
Date: February 13, 2023

Verification:

Verified that the contents of paragraphs 1 to 5 of the preliminary objection and the contents of paragraphs 1 to 3, the reply on the merits of the application, are true and correct to the best of my knowledge, as per information derived from the official record. No part of it is false, and nothing has been concealed therein.

Submitted by:

(Veerpal Kaur)

Place: Ludhiana

Date: February 13, 2023

Joint Director, Language Department, Punjab.

On behalf of defendants 1 to 3