



CR-6938-2025 (O&M)
CR-6950-2025 (O&M)

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

-:-

Decided on:-29.10.2025

1. CR-6938-2025 (O&M)

Martin & Harris Pvt. Ltd.

....Petitioner

VERSUS

Shri Ranvir Uppal and Others

....Respondents

2. CR-6950-2025 (O&M)

Martin & Harris Pvt. Ltd.

....Petitioner

VERSUS

Shri Ranvir Uppal and Others

....Respondents

CORAM : HON'BLE MS. JUSTICE MANDEEP PANNU

Present: Mr. H.L.Tiku, Senior Advocate assisted by
Ms. Yashmeet and Mr. Manav Bajaj, Advocates
for the petitioner.

Ms. Sidhi Bansal, Advocate for the respondents.

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MANDEEP PANNU J.

1. This common judgment of mine shall dispose of above-numbered two civil revisions. One i.e CR.6938 of 2025 filed by the petitioner-tenant for setting aside the impugned order dated 11.09.2025 passed by the learned Rent Controller, U.T.Chandigarh, in the rent petition filed by the respondents-landlords, whereby the application of the petitioner-tenant under Order XII Rule 2A CPC for admission and denial of documents has been dismissed and Second i.e. CR.6950 of



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2025, by the petitioner-tenant for setting aside the impugned common order dated 18.08.2025 passed by the learned Rent Controller, U.T., Chandigarh, in the rent petition filed by the respondents-landlords, whereby the application of the petitioner-tenant under Order VI Rule 17 read with Section 151 CPC and the application under Order VIII Rule 1 read with Section 151 CPC for placing on record certified copy of the document in support of the amendment sought under Order VI Rule 17 CPC has been dismissed.

Brief Facts

2. The brief facts leading to the filing of the present petitions are that the petitioner-company is a tenant in respect of the basement and second floor of premises No.SCO 1, Sector 26, Madhya Marg, Chandigarh. In the year 2013, respondent No.1, along with his brother-respondent No.2, his son-respondent No.3, and his nephew-respondent No.4 (son of respondent No.2), filed an eviction petition against the petitioner-tenant seeking eviction from the said premises comprising the basement and second floor.

3. The ground taken by the respondents in the eviction petition was that they are members of a business family, and with the passage of time, the sons of respondent Nos.1 and 2, namely respondent Nos.3 and 4, had grown up, got married, and were having their own families. It was pleaded that respondent Nos.1 and 2 had decided to expand their business and to entrust the same to respondent Nos.3 and 4, for which the basement was required for storage purposes and the second floor for office use.

4. It is the case of the petitioner-tenant that the respondents did not disclose that the ground floor and first floor of the same building were also owned



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by them. As on the date of filing of the eviction petition, the ground floor was already let out, and a portion of the first floor was in the possession of the respondents. The said portions were available to them for commencing business, yet they did not disclose the same. The respondents also did not plead that the ground floor and first floor constituted a source of substantial rental income for them.

5. The petitioner-tenant in its written statement specifically pleaded that the respondents were in possession of the ground floor and first floor even immediately before the filing of the eviction petition and also during its pendency, but no business was started therein, which reflected that the alleged requirement of the tenanted premises was not bona fide.

6. Subsequently, during the pendency of the petition, the petitioner came to know of the respondents having come into possession of the ground floor and accordingly moved an application for amendment of the written statement, which was allowed, and issues were framed on 26.09.2013. The respondents led their evidence, which was closed on 03.02.2016, while the petitioner led its evidence, and by 01.09.2017, nine witnesses had been examined and cross-examined. Thereafter, on 16.04.2018, the respondents filed an application under Order VI Rule 17 CPC for amendment of the eviction petition, seeking to add averments regarding the letting out of the ground floor and first floor from time to time, claiming them unsuitable for their business. The said amendment was allowed by the Rent Controller vide order dated 14.12.2018.

7. Aggrieved, the petitioner filed Civil Revision No. 596 of 2019 before this Court. Vide order dated 06.02.2019, this Court, while not interfering with the



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order of amendment, observed that the Rent Controller, while finally adjudicating the main eviction petition, would take into consideration the pleadings and evidence, including any alleged admissions of the landlords, and that all arguments would remain open for the tenant–petitioner at the final stage.

8. Thereafter, the amended petition dated 16.04.2018 was filed, the petitioner filed its written statement thereto, rejoinder was submitted, and an additional issue No. 3A was framed on 18.09.2019 as to whether the petitioner–landlord had concealed material facts regarding letting out of various portions of the premises and, if so, whether the same disentitled them from claiming bona fide requirement.

9. The respondents led their evidence on the amended petition, which was closed on 10.01.2020. Due to the Covid-19 pandemic, proceedings were adjourned from 23.03.2020 to 26.02.2021. Thereafter, the petitioner also led its evidence, which was closed on 18.08.2022. The respondents closed their rebuttal evidence on 21.11.2024.

10. During this period, the petitioner filed an application on 15.01.2025 for amendment of the written statement to correct the area mentioned therein. The said application was dismissed by the learned Rent Controller vide order dated 06.02.2025. The petitioner, aggrieved, preferred Civil Revision Petition No.1234 of 2025 before this Court.

11. The said revision petition was allowed by the co-ordinate Bench this Court vide order dated 02.07.2025, the operative part of which is reproduced hereunder for ready reference:



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“7. At this, learned senior counsel for the tenant-petitioner has made a categorical statement before this Court that the tenant-petitioner will not lead any fresh evidence nor will plead its case beyond the material already on record, and that the tenant-petitioner may be permitted only to file the amended written statement. Learned counsel for the landlords-respondents submits that to the aforesaid extent, this petition may be disposed of to the effect that in case tenant-petitioner is not permitted to lead any fresh evidence or put forth any new case.

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9. In view of the aforesaid submissions of both the sides, present petition is hereby disposed of by setting aside the impugned order dated 06.02.2025 with a direction to learned Rent Controller to permit the tenant-petitioner to file the amended written statement. However, it is made clear that tenant-petitioner will not be permitted to lead any fresh evidence nor would be permitted to make out a new case. The Court of learned Rent Controller shall fix a date on 18.07.2025 for addressing arguments by both the parties and none of the parties will seek further adjournment, as per the undertaking made before this Court.”

12. Subsequent to the passing of the above-said order dated 02.07.2025 by this Court, it is the case of the petitioner that during the pendency of the eviction petition the respondents again came into possession of the ground floor of the same building. It is averred that on 11.07.2025 the respondents obtained



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possession of the ground floor and, thereafter, instituted eviction proceedings against the erstwhile tenant of the ground floor titled '*Ranvir Uppal & Ors. v. M/s Jaks Enterprises*' (Petition No. 103 of 2025), on the grounds of default in payment of rent and having carried out structural alterations. In the light of these subsequent events the petitioner-tenant on 18.08.2025 filed an application under Order VI Rule 17 read with Section 151 CPC seeking permission to amend the written statement so as to bring on record the post-order facts of possession of the ground floor and the pendency of the said eviction petition; along with the application the petitioner sought permission under Order VIII Rule 1 read with Section 151 CPC to place on record certified copies of the judicial record in Petition No. 103 of 2025.

13. The respondents did not formally file any reply to either application and, before the learned Rent Controller, relied entirely upon the observations and directions contained in the order dated 02.07.2025 of this Court to contend that the petitioner is precluded from placing on record the subsequent events or from leading any fresh evidence or making out a new case. By the impugned order dated 18.08.2025 the learned Rent Controller accepted the aforementioned contention and declined to entertain the petitioner's applications, relying upon the expression in the order of this Court that the tenant-petitioner "will not be permitted to lead any fresh evidence nor would be permitted to make out a new case." Thereafter, on 08.09.2025 the petitioner filed an application under Order XII Rule 2A CPC seeking a direction to the respondents to admit or deny documents relating to the litigation between the respondents and M/s Jaks Enterprises and to admit or deny the fact of their present possession of the entire ground floor; that application too



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was not entertained by the Rent Controller and was rejected by order dated 11.09.2025 on the same legal premise. The present revision petition challenges the orders dated 18.08.2025 and 11.09.2025 on the ground that the learned Rent Controller misinterpreted and unduly extended the scope of this Court's order dated 02.07.2025 and thereby declined to decide the applications on their merits.

Submissions of learned counsel for the parties

14. Learned counsel for the petitioner-tenant submits that the order dated 02.07.2025 was confined in scope to the specific relief which was the subject-matter of Civil Revision No. 1234 of 2025, namely, permission to amend the written statement for correction of the area and that the petitioner's categorical statement recorded before this Court related only to the mode and ambit of evidence which the petitioner would rely upon insofar as that particular amendment was concerned. It is argued that there is a material distinction between (i) curtailing the petitioner from leading fresh evidence or making out an entirely new case in order to press the narrow amendment which gave rise to CR-1234/2025, and (ii) permitting the petitioner to place on record subsequent events and court records which have come into existence only after the disposal of CR-1234/2025 and which are directly germane to the core controversy, namely the bona fides of the landlords' alleged requirement. Learned counsel contends that an event which did not exist as of 02.07.2025 could not, and was not intended to, be foreclosed by that order, to hold otherwise would be to render nugatory the due administration of justice and would preclude parties from relying upon subsequent facts that bear materially on the dispute. It is further submitted that the documents sought to be placed on record are public judicial records and documentary in



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nature and therefore cannot be equated with the taking of fresh oral evidence or with the creation of a new cause of action.

15. On the other hand, learned counsel for the respondents contends that the observations of this Court are categorical. The tenant–petitioner had made a clear statement that it would not lead fresh evidence or plead beyond the material already on record and had sought only to file an amended written statement, this concession was accepted by this Court and formed the basis of the order disposing of CR-1234/2025. It is urged that to permit the petitioner now to place on record post-order events and additional material would be to frustrate the very undertaking furnished before this Court and to permit the tenant to make out a new case after obtaining the very benefit which the order conferred. The respondents submit that the Rent Controller has, therefore, correctly declined to admit documents or permit amendment which, in substance, would amount to leading fresh evidence and making out a new case.

Findings of this Court

16. I have considered the rival submissions and have perused the order dated 02.07.2025 in its entirety as well as the impugned orders passed by the learned Rent Controller. The proposition that courts may, in appropriate cases, limit the scope of evidence or pleadings in order to curb unfair ambush or delay is not in dispute. Equally however, it is a fundamental principle of procedure that a judicial direction must be read and construed in the context in which it is passed and with an eye to the relief actually sought and granted. The operative mandate contained in the order dated 02.07.2025, namely that the tenant–petitioner would not be permitted to lead any fresh evidence nor to make out a new case, must be



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understood against the backdrop of the specific controversy before this Court in CR-1234/2025, which related to correction of the area in the written statement and which involved expressed concessions by the petitioner as to the limited ambit of evidence it intended to rely upon for that narrow purpose. There is nothing in the order which, expressly or by necessary implication, precludes a party from placing on record subsequent events or fresh judicial records which come into existence only after the disposal of that revision petition and which bear directly and materially upon the core issue in dispute. To so construe the order would be to create an embargo over facts which had not yet occurred and which could not conceivably have been the subject of consideration at the time CR-1234/2025 was decided.

17. The documentary material sought to be placed on record in the present case, in particular the certified copy of Petition No. 103 of 2025 and contemporaneous proof of possession, are records of judicial proceedings and events which, by the petitioner's case, demonstrate that the respondents have in fact been able to let or obtain possession of the ground floor and that they themselves have initiated eviction proceedings against the ground floor tenant for default and alleged structural alterations. Such facts, if shown to be true, are plainly relevant to the question whether the landlords' professed requirement of the tenanted premises is bona fide and whether the ground floor constitutes an available and suitable area for carrying on the business contended for by the landlords. Whether those documents and the facts proved thereby suffice to displace the landlords' case on the issue of bona fide requirement is a matter for the learned Rent Controller to adjudicate after giving both parties a fair opportunity



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to address the relevancy and probative value of the material. The denial of the opportunity to place such documents on record without an adjudication on their admissibility and relevance cannot be sustained where the bar relied upon is an order which, properly construed, did not intend to preclude reliance upon events that transpired after the order was passed.

18. For these reasons I find that the learned Rent Controller fell into error in mechanically applying the direction contained in the order dated 02.07.2025 so as to foreclose the petitioner from placing on record subsequent events and certified judicial records which post-dated that order. The limitation expressed by this Court was directed at curbing the petitioner from expanding its case beyond the material which it had placed on record for the very narrow amendment which was the subject-matter of CR-1234/2025. It was not a blanket embargo disabling the tenant from relying upon facts which came into existence only thereafter and which are germane to the determination of the eviction petition.

19. The applications filed by the petitioner under Order VI Rule 17 read with Section 151 CPC and under Order VIII Rule 1 read with Section 151 CPC and under Order XII Rule 2A CPC, therefore, deserve to be allowed to the limited extent that the petitioner is permitted to amend the written statement for the purpose of bringing on record the subsequent event of the respondents having come into possession of the ground floor of the demised premises and to place on record certified copies of judicial records relating to Petition No. 103 of 2025 titled Ranveer Uppal and others versus M/s Jaks Enterprises.

20. It is, however, clarified that the said permission shall not entitle the petitioner to expand the scope of controversy beyond the said subsequent event,



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nor shall it entitle the petitioner to lead any fresh oral evidence apart from proving the documents which are sought to be produced along with the amendment. The amendment shall be confined strictly to the narration of the subsequent facts and the documents relevant thereto.

Conclusion

21. Consequently, the orders dated 18.08.2025 and 11.09.2025 passed by the learned Rent Controller, U.T., Chandigarh, are hereby set aside. The applications filed by the petitioner-tenant under Order VI Rule 17 read with Section 151 CPC, under Order VIII Rule 1 read with Section 151 CPC, and under Order XII Rule 2A CPC are allowed to the extent indicated above.

22. Pending application(s), if any, also stand disposed of.

October 29, 2025
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(MANDEEP PANNU)
JUDGE

Whether speaking/non-speaking : Speaking
Whether reportable : Yes/No