

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA AT
CHANDIGARH

C.R No.1658 of 2015

Date of Decision.09.03.2015

Sukhwinder Pal Singh

.....Petitioner

Versus

Parveen Singh and another

.....Respondents

Present: Mr. Rakesh Kumar Garg, Advocate
for the petitioner.

CORAM:HON'BLE MR. JUSTICE K. KANNAN

1. Whether Reporters of local papers may be allowed to see the judgment ?
2. To be referred to the Reporters or not ?
3. Whether the judgment should be reported in the Digest?

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K. KANNAN J. (ORAL)

1. The plaintiff who is seeking action for ejectment is aggrieved that after the landlord's evidence was closed, he has sought for amendment of the petition to bring a case that his father who was the original owner has bequeathed the property in his name and not in his wife's name as originally contended in the eviction petition. I asked the counsel before he went further to disclose whether the tenant was prepared to accept the petitioner before the Court below who is the 1st respondent as his landlord or not. He says that he has no objection as regards the same. If the 1st respondent's status as landlord is admitted, it is immaterial whether he has secured a bequest in his name or in his wife's name. It is the jural relationship of landlord and tenant that determines the rights of parties to prosecute the case and ownership has no value. The counsel also states that he is now trying to place document to show that he owns other property also in urban area. This

can be taken as a shot in the arm of the tenant himself, for if the landlord had disclosed other properties he only exposes himself to the disabilities which are contained in the Act for making out a case of bona fides of personal requirement.

2. The counsel has further grievance that through this attempt the landlord will try to bring all new evidence and prolong the case. If any additional evidence is permitted, the Rent Controller shall ensure that it is only to the additional plea which is now brought through the amendment namely of the alleged Will said to have been executed in his name by his father and he will not allow for any new evidence to be given which is not supported through the amendment brought out to the petition.

3. With these observations, the civil revision is dismissed.

(K. KANNAN)
JUDGE

March 09, 2015
Pankaj*