

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

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Civil Revision No.2170 of 2015 (O&M)

Date of Decision: September 16, 2015

Gobinder Singh and another

...Petitioners

Versus

Mohd. Shamshed and another

...Respondents

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Satyaveer Singh, Advocate
for the petitioners.

Mr. Gurinderjit Singh, Advocate
for the respondents.

AUGUSTINE GEORGE MASIH, J. (ORAL)

In this petition, challenge is to the order dated 07.02.2015 passed by the Rent Controller, Chandigarh, by which an application under Order VI Rule 17 of CPC has been conditionally allowed for amendment of the written statement filed by respondent No.1.

I have perused the impugned order and do not find any illegality in the same as while allowing the said application, it has been observed as follows:-

XXX

XXX

XXX

“Hence, present application under Order 6 Rule 17 of CPC is hereby allowed. The amended written statement has already been filed by the applicant. Above application is allowed subject to a condition that a specific issue shall be framed in the rent petition placing onus upon the applicant to prove that the written statement dated 31.3.2008 was not filed by him and same was filed by the petitioners by obtaining his signatures on blank papers. Amended written statement filed by the applicant shall only be considered, if he is able to discharge onus placed upon him in the above issue and if he fails to do so, the written statement dated 31.03.2008 shall be taken into account”.

The learned Rent Controller has protected the right and interest of the petitioner, which do not call for any interference by this Court.

Keeping in view the fact that the rent petition has been filed on 10.01.2008, the Rent Controller should make all endeavour to conclude the proceedings expeditiously.

The petition is disposed of with the above observations.

September 16, 2015
Puneet

(AUGUSTINE GEORGE MASIH)
JUDGE