

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

**CR No.3990 of 2015**

**Date of decision : July 29, 2015**

Rama Kumari

..... Petitioner

Versus

Ritu Aggarwal

..... Respondent

**CORAM : HON'BLE MR.JUSTICE GURMIT RAM**

\*\*\*

1. To be referred to the Reporters or not? No / Yes
2. Whether the judgment should be reported in the Digest? No / Yes

\*\*\*

Present : Mr. Kanwardeep Singh, Advocate  
for the petitioner.

\*\*\*

**GURMIT RAM, J.**

1. This revision petition is filed by the petitioner-herein Rama Kumari (tenant) against the order dated 06.05.2015 (Annexure P-1) passed by learned Rent Controller, Karnal vide which her application for directing the respondent-herein (landlord) to place on record copy of site-plan of the entire building has been dismissed.

2. Facts in nut-shell which are essential for the disposal of this revision petition are that a petition for ejectment under Section 13 of the Haryana Urban (Control of Rent and Eviction) Act, 1973 (in short “the Act”) filed by respondent-herein (landlord) against tenant-Rama Kumari, is

pending before the learned Rent Controller, Karnal. The case was at the stage of filing written statement, when the tenant filed the instant application for issuing direction to the landlord to produce the site-plan of the entire building. It was mentioned in this application that the instant ejectment petition has been filed by the landlord on the plea that she requires the building for the construction of showroom. In this regard it is pleaded that building in possession of the landlord is a big building which can fulfill her needs and for this purpose the site-plan of the entire building is required to be brought on the file.

3. On notice, the landlord filed reply taking preliminary objection that this application is an abuse of process of law having been filed with a mala fide intention to delay the proceedings of this case. The complete site-plan of the ground floor of the building wherein the room in possession of the tenant has been shown has already been placed on the record along with the petition. The tenant did not file any written statement despite availing more than three opportunities. Prayer was made for dismissal of this application.

4. Learned Rent Controller after hearing learned counsel for both the parties and going through the record as well, dismissed this application vide the impugned order, which necessitated to file the instant revision petition.

5. I have heard the learned counsel for the petitioner and have also gone through the record as available on file.

6. As mentioned in the impugned order, the respondent-herein (landlord) has already placed on record site-plan. Then it is also found mentioned in the reply of the landlord that the site-plan of the entire ground

floor in which the room in possession of tenant has been depicted has already been placed on the file of the learned Rent Controller. If the copy of the site-plan is not supplied to the tenant then she has right to claim its copy by making a request to the learned Rent Controller concerned. Then it is also recorded in the impugned order that if the tenant wishes to get the copy of site-plan of the entire building to dislodge the claim of the landlord of personal necessity qua demised premises, then the tenant has opportunity to lead her evidence in this regard at her own. Then it is also case of the landlord that tenant has failed to submit written statement despite the grant of more than three opportunities. So as such, there is nothing wrong in the impugned order, hence the instant revision petition being merit-less stands dismissed and disposed of accordingly.

**July 29, 2015**  
*Gaurav Sorot*

**( GURMIT RAM )**  
**JUDGE**