

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

**Civil Revision No.4347 of 2015
Date of Decision: September 02, 2015**

Parminder Singh

.... Petitioner

vs.

Rinnypal Cheema

.... Respondent

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present: Mr. Vishal Gupta, Advocate for the petitioner.

Mr. Vikas Behl, Senior Advocate with
Ms. Shalu Sehgal, Advocate for the respondent.

- 1. Whether Reporters of Local Newspapers 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?*

Kuldip Singh J.(Oral)

Impugned in the present revision petition is the order dated 21.05.2015 (Annexure P-6) passed by learned Rent Controller, Chandigarh, vide which the application under Order VI, Rule 17 CPC of the present petitioner for amendment of the written statement was dismissed.

It comes out that by way of amendment of written statement, the present petitioner wants to add following averments in the written statement:

“The petitioner during the time of his cross examination has admitted that, besides, the SCO in question owns two residential properties bearing No.1127, Sector 8-C, Chandigarh, which is on rent & House bearing No.58, Sector 18-A, Chandigarh, which is self occupied by the petitioner. The father of the petitioner namely Sh. Atma Singh Cheema,

who has since expired owns another property, which he has concealed even during his cross examination that he after the demise of his father also owns House No.93, Sector 18, Chandigarh, which is only to be transferred in his name. The petitioner, besides, the SCO in question owns three other properties bearing No.93, Sector 18-A, Chandigarh, No.1127, Sector 8-C, Chandigarh & bearing No.58, Sector 18-A, Chandigarh. In the directory of the advocates of the Punjab and Haryana High Court, Chandigarh, the address of the petitioner is stated to be H.No.1127, Sector 8-C, Chandigarh.”

It comes out in preliminary objection No.3 that the objection has already been taken that the petition has not been drawn in accordance with law inasmuch as it does not fulfill the three ingredients of personal requirement, as the petitioner has not disclosed about owing, the letting out or vacating the non-residential buildings in Chandigarh after the enforcement of the Rent Restrictions Act, 1949.

I am of the view that since the objection has been taken and according to the petitioner, in cross-examination, the details of some properties have come. These can always be pleaded and pressed at the time of arguments. The case is at the stage of evidence of the petitioner-respondent-tenant.

In these circumstances, the amendment sought in the written statement is unnecessary and will only delay the disposal of the case.

However, the petitioner is at liberty to make all the averments sought to be made in the written statement by amending it at the time of arguments, which can be countered by the opposite party.

The present revision petition is, accordingly, dismissed with the abovesaid observations.

September 02, 2015
sarita

(KULDIP SINGH)
JUDGE