

CR No.5899 of 2015 (O&M)

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

CR No.5899 of 2015 (O&M)

Date of Decision: September 09, 2015

Harjinder Singh

...Petitioner

Versus

Surinder Kumar Rishi & another

...Respondents

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASI

Present: Mr. Divanshu Jain, Advocate
for the petitioner.

AUGUSTINE GEORGE MASI, J. (Oral):

This revision petition has been filed by the respondent-tenant challenging the order dated 18.08.2015 passed by the Rent Controller, Chandigarh, vide which his application for amendment of the written statement by adding a preliminary objection as para No.4, stands dismissed.

It is the contention of the counsel for the petitioner-respondent-tenant that the rent petition was filed for eviction on the ground of personal necessity and sub-letting. During the pendency of rent petition, it has come to the knowledge of the petitioner-respondent-tenant that both the sons of the respondent-petitioner-landlord have gone to America for the purpose of permanently settling abroad. In response to the said pleadings, the factum that they had gone to America, has been admitted, however, it has been

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stated that they had gone on tourist visa and they have never gone for the purpose of settling abroad.

The learned Rent Controller having considered the submissions made by the counsel for the parties, has rightly come to a conclusion that this amendment cannot be permitted at this belated stage when the evidence is complete and the case is at the stage of final arguments. Reference to the proviso appended to Order 6 Rule 17 of CPC has rightly been made and relied upon.

I find no illegality in the order dated 18.08.2015 which would call for any interference by this Court. The revision petition, therefore, stands dismissed.

September 09, 2015
Harish

(AUGUSTINE GEORGE MASIH)
JUDGE