

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CR No.7508 of 2015(O&M)
Date of decision: 27.11.2015

M/s Bharat Bartan Bhandar

... Petitioner

Versus

Tirath Singh

... Respondent

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. Mandeep Singh Sachdev, Advocate,
for the petitioner.

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?

ARUN PALLI J. (Oral)

Vide order being assailed dated 01.09.2015 (Annexure P1), application moved by the tenant-petitioner seeking amendment in his written statement had since been dismissed by the Rent Controller, Jalandhar. All what is sought to be urged vide a proposed amendment is that respondent-landlord has one shop in his possession near the demised premises, which was not in the knowledge of the tenant-petitioner and this fact was not disclosed by the landlord intentionally and willfully. Additionally, he has got another shop vacated from Ram Baksh Bahri, pursuant to an order of ejectment dated 26.09.2014. And, yet another shop which forms part of the same property has also been got

vacated by the landlord from Sant Lal and Parshant, pursuant to an order of eviction dated 28.08.2014.

Ex facie, what is sought to be pleaded vide a proposed amendment is nothing but instances in the nature of evidence, which the petitioner-tenant could always bring on record by leading appropriate evidence. Concededly, evidence of the petitioner-tenant is being recorded and is yet to conclude. Needless to assert, once any such evidence is led by the petitioner-tenant, of course, the Rent Controller would evaluate the same while drawing analysis at the time of final arguments.

That being so, no interference is warranted in exercise of revisional jurisdiction, under Article 227 of the Constitution of India. Petition being devoid of merit is accordingly dismissed.

November 27, 2015
Rajan

(Arun Palli)
Judge