

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

114

**Civil Revision No.7684 of 2015
Date of Decision:18.11.2015**

Sham Lal

....petitioner

Versus

Subhash Sharma and others

.....respondents

CORAM: HON'BLE MR.JUSTICE ARUN PALLI

- 1.Whether Reporters of local papers may be allowed to see the judgement?**
- 2. To be referred to the Reporters or not?**
- 3. Whether the judgment should be reported in the Digest?**

Present: Mr.M.K.Singla, Advocate
for the petitioner

ARUN PALLI, J.(ORAL):-

Vide order being assailed dated 12.10.2015, rendered by Rent Controller, Chandigarh, application moved by the tenant-petitioner under Order 6 Rule 17 CPC, seeking amendment in the written statement, has since been dismissed.

All what is sought to be urged vide proposed amendment is that respondent-landlord i.e.Subhash Sharma is also a co-sharer in a commercial building constructed on plot No.184, Khasra No.292/1, since the year 2011 at village Attawa, Sector 42, U.T.Chandigarh. But he has concealed this material fact.

Concededly, the matter is fixed for recording the tenant's evidence. What is sought to be pleaded by way of proposed amendment is nothing but an instance or an evidence to show that the alleged need of the respondent lacks bona fides. Needless to assert, evidence cannot be pleaded. Petitioner shall always be at liberty to lead appropriate evidence to substantiate the plea that is

sought to be set out vide a proposed amendment.

In the wake of the position as set out above, no interference is warranted in exercise of revisional jurisdiction under Article 227 of the Constitution of India. The petition being devoid of merit is accordingly dismissed.

18.11.2015

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(ARUN PALLI)
JUDGE