

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

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**Civil Revision No.8532 of 2015(O & M)
Date of Decision:15.12.2015**

Darshana Wati and others

....petitioners

Versus

Dinesh Kumar Verma

.....respondent

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.K.S.Khehar, Advocate
for the petitioners

ARUN PALLI, J.(ORAL):-

Vide order being assailed, dated 02.11.2015 rendered by Rent Controller, Ludhiana, application moved by the petitioners-tenants under Order 6 Rule 17 read with Section 151 CPC, seeking amendment in the written statement had since been dismissed.

In an eviction petition, preferred by the landlord (respondent), ejectment of the tenants(petitioners) is being sought on account of his personal bona fide necessity as also for his son Mohit Verma. All what is sought to be pleaded vide a proposed amendment is that Reena Verma wife of the landlord i.e.Dinesh Kumar Verma, had purchased half share in a commercial plot measuring 132.4 sq.yards in Guru Gobind Singh Nagar near Kabir Nagar in the revenue estate of village Jamalpur, Awana, pursuant to the sale deed dated 16.12.2010 and the respondent-landlord had intentionally concealed the said fact, at the time of filing of the eviction petition.

Meaning thereby, the alleged need of the respondent-landlord cannot be said to be bona fide and conceived in good faith. Ex facie, what is sought to be pleaded by way of amendment is an instance or an event in the nature of an evidence. Concededly, the matter is now fixed for the evidence of the tenants (petitioners). That being so, the tenants(petitioners) shall always be at liberty to adduce appropriate evidence as regards the aspect they intend to plead by way of proposed amendment. If any such evidence is indeed led, needless to assert, the same shall be evaluated by the Rent Controller, in accordance with law, while drawing a final analysis at the time of arguments.

That being so, the revision petition is disposed of, in the above terms.

15.12.2015

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(ARUN PALLI)
JUDGE