

CR No. 1806 of 2016

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

**CR No. 1806 of 2016**

**Date of Decision: March 10, 2016**

**Shri Ram Lila Dramatic Club, Kharar**

...Petitioner

Versus

**Vikramjit Kaur & others**

...Respondents

**CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASI**

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

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**AUGUSTINE GEORGE MASI, J. (Oral):**

Challenge in this revision petition is to the order dated 24.02.2016 passed by the Additional Civil Judge (Senior Division)-cum-Rent Controller, Kharar, whereby, application moved by the petitioner for allowing it to aduce additional evidence by way of examining building expert Shri Gian Chand, alongwith his report as regards the existing position qua the demised premises, has been dismissed.

It is the contention of the learned counsel for the petitioner that there are contradictory reports of expert witnesses, who had appeared on behalf of the petitioner and the respondents. Even the witness who had appeared on behalf of the petitioner, namely, Narinder Dalam (RW-2), in his examination-in-chief and report, has deposed that the building is fit for human habitation but in

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the cross-examination, he has taken a contradictory stand and therefore, the said report of the expert witness requires clarification by way of another report of another expert witness and his evidence. Prayer has, thus, been made for permitting the petitioner to lead additional evidence subject to costs.

I have considered the submissions made by the learned counsel for the petitioner and with his assistance, have gone through the impugned order and on perusal thereof, I find that just and reasonable grounds have been given for dismissing the application.

It is not in dispute that both the parties have produced their respective expert witnesses. Even the Local Commissioner who was appointed by the Court, has given his report. There is ample evidence before the Court to come to the right conclusion with regard to the status of the building. Sufficient opportunities have been granted to the petitioner who is a respondent-tenant therein, to lead his evidence and therefore, the present application as filed by him, has rightly been dismissed by the Court for the reason of it being belated and that too devoid of merits. It appears that the application has been moved to delay the proceedings before the Rent Controller.

No ground to interfere in the present revision petition, therefore, is made out and the same stands dismissed.

**( AUGUSTINE GEORGE MASIH )**  
**JUDGE**

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