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

C.R. No.2475 of 2016

Date of Decision : 06.04.2016

Vishav Nath Tiwari and others

..... Petitioners

Versus

Kulwant Singh

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Aayush Gupta, Advocate
for the petitioners.

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?

AJAY TEWARI, J. (Oral)

This revision has been filed against the order dated 29.03.2016 passed by the Rent Controller whereby the application filed by the respondent-tenant for amendment of the written statement is allowed at the final stage of the eviction petition.

The petitioners-landlords had inter-alia claimed that the respondent was a tenant and the rate of rent was Rs.5000/- p.m. In the written statement at one place the tenant admitted the same but at two places lateron he specifically averred that the rate of rent was Rs.500/- p.m. and the issue was also struck on this question. When the case was fixed for arguments the respondent-tenant realized this contradiction in his written

statement and moved an instant application to remove the anomaly and the same is allowed.

In my opinion, no fault can be found in the circumstances of the facts. Learned counsel points out that since there is an issue regarding rate of rent but in the later part of the order the trial Court has given its opinion that actually the rate of rent was actually Rs.500/- p.m. In the considered opinion of this Court, this apprehension is useless. It seems that the counsel for the respondent had argued that he had led evidence in respect of his assertion that the rate of rent was Rs.500/- p.m. and was not required to lead any evidence in the matter and this fact also influenced the trial Court in allowing the amendment application. This in no sense can taken to be an opinion by the Rent Controller that the rate of rent was Rs.500/- p.m. However, I find that the trial Court did not impose any costs on the respondent while allowing the said application.

In the circumstances, the revision petition is dismissed. However, it is directed that amendment would be subject to costs of Rs.5000/-.

Since the main case has been decided, the pending Civil Misc. Application, if any, also stands disposed of.

April 06, 2016
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(AJAY TEWARI)
JUDGE