

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

C.R. No.4801 of 2016

Date of Decision.29.07.2016

Kanchan Sharma and another

.....Petitioners

Vs.

Surjit Kaur

.....Respondent

Present: Mr. V.D. Sharma, Advocate
for the petitioners.

CORAM:HON'BLE MR. JUSTICE AMIT RAWAL

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?

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AMIT RAWAL J. (ORAL)

Learned counsel for the petitioners-tenants is aggrieved of the impugned order whereby the application seeking amendment of the written statement by incorporating the plea of letting out the premises to another tenant, has been dismissed.

Learned counsel appearing for the petitioners submits that this fact is essential and necessary for adjudication of the ejectment petition as the ejectment is sought on the bona fide need. The ejectment petition is at the stage of rebuttal evidence.

I have heard learned counsel for the petitioners and appraised the paper book. The petitioners are entitled to raise the aforementioned fact which the Court can take cognizance of at the time of arguments but not in the manner and mode as has been chosen, much less, asking for de novo trial. The law is settled on this point that strict principles of Civil Procedure Code does not apply to the proceedings initiated under the Rent Act.

In view of the aforementioned observations, I do not find any illegality and perversity in the order passed by the Court below, much less, the order cannot be said to be passed without jurisdiction. No ground for interference is made out. The revision petition is dismissed.

(AMIT RAWAL)
JUDGE

July 29, 2016
Pankaj*

Whether speaking/reasoned Yes

Whether reportable No