

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

**Civil Revision No.4984 of 2016 (O&M)
Date of Decision: August 05, 2016.**

Rajesh Kumar and another

.....PETITIONERS.

VERSUS

Arvind Kumar and others

.....RESPONDENTS.

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Sharad Mehra, Advocate
for the petitioners.

SURINDER GUPTA, J.(Oral)

1. Heard.
2. Learned counsel for the petitioners-tenants submits that the Rent Controller has allowed respondent No.1-landlord to fill up the lacunas by producing the Punjab School Certificate Part(I) examination and passport of the petitioner, by way of additional evidence. The petitioners-tenants have raised the plea in the written reply that respondent No.1-landlord had taken his education from outside Tarn Taran and this evidence allowed to be produced by additional evidence, was within knowledge and possession of respondent and could be produced earlier.
3. In the application seeking permission to produce additional

evidence, respondent No.1-landlord had taken the plea that during the course of cross-examination, counsel for the petitioners-tenants put the question to the attorney of respondent No.1-landlord that Arvind Kumar Sood (landlord) never studied in India or ever came to India. In order to meet both the pleas raised by learned counsel for the petitioner-tenants, he wants to place on record education certificate and passport of Arvind Kumar Sood. Learned Rent Controller, allowed the application and the plea of revision-petitioners (tenants) that the application has been filed at a belated stage, was discarded.

4. Respondent No.1-landlord has sought to produce the documents by leading additional evidence, to meet with the objections raised by the revision-petitioners. These documents are part of government record and cannot be fabricated at this stage, as such, production of the same will not cause any prejudice to the revision-petitioners, rather, they will have opportunity to rebut the same by leading evidence, in rebuttal to additional evidence.

5. This revision petition has no merits.

6. Dismissed.

August 05, 2016.
deepak/jv

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No