

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

Civil Revision No. 5763 of 2015

Date of decision : 18.01.2016

Sat Pal

..... Petitioner

versus

Rajiv Kumar and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

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

Mr.Nitin Thatai, Advocate for the respondents.

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)

By way of the present petition the petitioner has challenged the order declining an application under Order 6 Rule 17 CPC.

The respondents had filed an eviction petition against the petitioner on the ground that the petitioner was a tenant in the premises prior to the respondents having become the owner and now, after the purchase by the respondents, he had become tenant under the respondent at a monthly rent of Rs.250/-. The petitioner in his written statement mentioned as follows:-

".....It is absolutely wrong that the tenanted premises were taken on rent by the respondent @ Rs. 80/- per month as alleged in this para of the application from Jagat Ram in the year 1992. "

It was averred in the application under Order 6 Rule 17 CPC that instead of the word 'absolutely wrong' it should have

been 'submitted' because this was the case of the petitioner.

Learned counsel for the respondents has very fairly stated that through this application has been filed just to delay the proceedings but in case the petitioner undertakes that he does not want to lead any evidence he would have no objection to this amendment having been carried out subject to payment of costs. Learned counsel for the petitioner has very fairly stated that the petitioner would not lead any evidence.

In the circumstances the petition is allowed subject to payment of Rs. 5000/- as costs to be paid by the petitioner. The amendment mentioned is ordered to be allowed.

(AJAY TEWARI)
JUDGE

January 18, 2016
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