

IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH

CR No.6113 of 2016 (O&M)

Date of decision:19.09.2016

Ganga Ram

... Petitioner

Vs.

Mahant Gurcharan Dass Chela Mahant  
Inder Dass Chela Mahant Bishan Dass and another

... Respondents

**CORAM: HON'BLE MR. JUSTICE AMIT RAWAL**

Present:- Mr. V.K.Sandhir, Advocate  
for the petitioner.

**AMIT RAWAL J. (Oral)**

Petitioner-defendant is aggrieved of the impugned order dated 14.07.2016, whereby, the application seeking amendment of the written statement to incorporate the subsequent events, has been dismissed.

Mr. V.K.Sandhir, learned counsel appearing on behalf of the petitioner-defendant submits that suit for injunction filed in the year 2013 basically was an attempt to seek ejectment, much less, compelled the petitioner in occupation of demised premises to vacate the same. No doubt, the written statement was filed in the year 2014 but subsequent to that, the respondent-plaintiffs had inducted few tenants in the shop. This fact is essential and necessary to incorporate in the written statement. It is in this background of the matter, the application for amendment was moved which has erroneously been dismissed and thus, urges this Court for setting aside

the impugned order.

I have heard learned counsel for the petitioner and appraised the paper book and of the view that once the suit is at the stage of plaintiffs' evidence, nothing prevents the petitioner to confront aspect noticed above in the cross examination of the witnesses, instead of seeking amendment. The pleadings have to be concise and brief as per the provisions of Order 6 Rule 1 of Code of Civil Procedure. It can be elaborated by taking the aid of provisions of Section 148 of the Indian Evidence Act.

I am of the view that it is not an ejectment petition where subsequent events are essential and necessary by way of an amendment. Even otherwise, in a rent petition, subsequent events can always be brought on record without seeking amendment.

No ground is made out for interference in the impugned order.

Accordingly, the revision petition stands dismissed.

(AMIT RAWAL)  
JUDGE

September 19, 2016  
savita

Whether Speaking/Reasoned

Yes/No

Whether Reportable

Yes/No