

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

**Civil Revision No.7668 of 2016 (O&M)
Date of Decision:November 16, 2016.**

Suresh Kumar

.....PETITIONER(s).

VERSUS

Narinder Pal Singh

....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Brijender Kaushik, Advocate
for the petitioner (s).

SURINDER GUPTA, J.

Heard.

2. Revision petitioner-tenant vide application under Order 6 Rule 17 of Code of Civil Procedure wants to add the plea that the respondent-landlord has in his possession large portion of the property on the back of the demised shop. Even in the reply of the petition, revision petitioner has alleged that *“the petitioner (now respondent-landlord) is owner in possession of large number of properties. The other portion of the building in possession of the petitioner is available to the petitioner but the petitioner in order to extract exorbitant rent has filed this frivolous application without any requirement.”*

3. Learned counsel for the revision petitioner-tenant submits that he wants to elaborate his plea taken in the reply by alleging that the petitioner (now respondent-landlord) has large portion of commercial

property available on the back of the demised shop.

4. As the revision petitioner-tenant has already taken the plea in the reply to the ejectment petition regarding availability of other accommodation with the respondent-landlord, the amendment sought is virtually the repetition of same plea. By seeking amendment, he appears to be gaining time and to delay the disposal of ejectment petition. Learned Rent Controller has rightly observed that petitioner was already aware of fact sought to be pleaded by amendment.

5. This revision petition has no merits.

Dismissed.

November 16, 2016.

Sachin M.

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No