

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

**C.M. NO.24564 CII OF 2016 &
CIVIL REVISION NO.8133 OF 2016
DATE OF DECISION: DECEMBER 02, 2016**

Subhash

.....Petitioner

VERSUS

Janak Raj and another

....Respondents

CORAM:- HON'BLE MR.JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Alankrit Bhardwaj, Advocate,
for the petitioner.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Challenge in this revision is to the order dated 26.10.2016 passed by the Rent Controller, Ludhiana, whereby the application preferred by the petitioner for leading additional evidence, whereby efforts were being made to plead and assert that Gurmeet Singh and Ashok Kumar have been offered to let out the shop, which is in possession of the petitioner after it is vacated by the respondent-landlord.

A perusal of the file and the pleadings would show that no details are mentioned as to when and how Gurmeet Singh and Ashok Kumar informed him about such an offer having been made to them by the respondent-landlord. Further, as is apparent from the impugned order, the evidence of the respondent-landlord was closed by order on 16.04.2016 after granting various and sufficient opportunities to the petitioner to lead

his evidence. Thereafter, an application was moved for recall of the said order, which also stands dismissed by the Rent Controller, Ludhiana, vide order dated 19.09.2016 and it is at this stage that an application has been filed for additional evidence.

The conduct of the petitioner is apparent that there is an intentional effort made by the petitioner for delaying the proceedings before the Rent Controller, Ludhiana. That apart, no justifiable ground is made out for allowing such an application for leading additional evidence, when the same appears to be not bonafide and moved with a malafide intention. The learned Rent Controller has rightly dismissed the application of the petitioner for leading additional evidence. The order being in accordance with law do not call for any interference by this Court.

The petition, therefore, stands dismissed.

Since the main petition stands dismissed, C.M. No.24564 CII of 2016 for staying the proceedings before the Rent Controller is also dismissed.

**December 02, 2016
khurmi**

**(AUGUSTINE GEORGE MASIH)
JUDGE**

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No