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

**C.R. No.8472 of 2015 (O&M)
Date of Decision : 14.01.2016**

Karamvir

..... Petitioner

Versus

Raj Kumar @ Rajesh

..... Respondent

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. Ajay Jain, Advocate
for the petitioner.

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)

This petition has been filed against the order dated 04.12.2015 passed by the Rent Controller, Hisar/trial Court dismissing the application filed by the petitioner-tenant for amendment of the written statement under Order 6 Rule 17 read with Section 151 CPC.

The respondent-landlord had filed a petition for eviction of the petitioner-tenant primarily on two grounds viz. the shop in dispute is not fit for human habitation and the same is required by the respondent for his personal use i.e. starting business of confectionary. In the petition, the respondent-landlord had averred that he did not own or possess any other

non-residential building in the urban area of Hisar City which fact had been denied by the petitioner-tenant by filing a written statement. Thereafter, the respondent-landlord led his evidence and the matter was listed for evidence of the petitioner-tenant. After having availed nine opportunities to lead evidence, the petitioner filed the instant application seeking amendment of the written statement. The mere ground pressed by the learned counsel is that the petitioner wants to give details of other properties owned by the respondent-landlord and the trial Court declined the application on the ground that the petitioner had ample opportunities to lead evidence and the application for amendment of the written statement was not maintainable at that stage. Further the trial Court held that this was a delaying tactics on the part of the petitioner.

In my opinion, all the three reasons given by the trial Court/Rent Controller are valid. Consequently, the petition is dismissed.

Since the main case has been decided, the pending civil miscellaneous application, if any, also stands disposed of.

January 14, 2016

ashish

**(AJAY TEWARI)
JUDGE**