

103

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

C.R. No.8898 of 2015 (O&M)

Date of Decision : 17.02.2016

Hari Chand (Deceased) through his L.R Sh. Shiv Kumar (Son)
..... Petitioner

Versus

Satyavir Parshad and others
..... Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Sachin Mittal, 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 revision has been filed against the order dated 03.10.2015 declining amendment of written statement at the penultimate stage of the trial after the landlord had led almost his entire evidence.

The two amendments which are being sought are that firstly that the respondents had filed an eviction petition in respect of another shop No.28. In this connection, the Rent Controller observed that the factum of filing of subsequent eviction petition against the separate tenant had been admitted by the landlord but the present petition has been filed for the bonafide requirement of the son of the landlord whereas the subsequent petition was filed for his own requirement and in the opinion of the Rent

Controller this fact would not be germane to the present case.

I see no reason to take a different view to that taken by the Rent Controller.

The second averment sought to be added by way of amendment is the fact that the landlord owned and possessed many other shops. In this regard, the Rent Controller had observed that in response to the averment made by the landlord that he neither owned or possessed any other shop, the respondent-tenant had already taken plea that this was a false ground and in fact the landlord owned other shops also and also taken the plea that the landlord was guilty of concealing material facts. In the opinion of the Rent Controller the evidence which was now being led by the petitioner in respect of specific shops which are allegedly owned by the landlord is well covered by the said plea and there is no requirement for giving these details by way of amendment.

I see no reason to take a different view to that taken by the Rent Controller to this finding also.

Consequently, the revision petition is dismissed.

Since the main case has been decided, the pending Criminal Misc. Application, if any, also stands disposed of.

February 17, 2016
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(AJAY TEWARI)
JUDGE