

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

CR No.5402 of 2017 (O&M)

Date of Decision: 17.8.2017

Dharup Kumar @ Dhruv Kumar

... Petitioner

Versus

Gurjit Singh

... Respondent

CORAM:- HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Ms.Amandeep Soni, Advocate for the petitioner

RAJIV NARAIN RAINA, J. (Oral)

1. This revision petition is directed against the order dated 30th May, 2017 (Annex. P-3) passed by the Rent Controller, Jalandhar dismissing the application under Order 6 Rule 17 of the CPC for amending the written statement filed by the tenant/petitioner.

2. The only assertion of the petitioner is that during the pendency of the eviction petition, the landlord has let out two shops in his building in which there are numerous shops owned by him. The landlord has objected to the same by stating that earlier, similar type of amendment had been sought which had already come on record. Now by seeking amendment in his written statement again, the tenant intends to incorporate facts one by one. The respondent-landlord has filed the written statement to the eviction petition filed in 2012. The trial has almost been concluded and the case is fixed for tenant's evidence. The application for amending the written statement at this belated stage would prolong the proceedings and amount to denovo trial.

3. In view of the above, I find no legal infirmity in the impugned order and the revision petition is dismissed.

17.8.2017
MFK

(RAJIV NARAIN RAINA)
JUDGE

Whether speaking/reasoned

Yes

Whether Reportable

No