

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

**Civil Revision No.7348 of 2017
Date of Decision: 26.10.2017**

Gajinder Kumar Hari

..... Petitioner

Versus

Neelam Sabharwal

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Amandeep Soni, Advocate for the petitioner/tenant.

JASWANT SINGH, J. (ORAL)

The tenant-petitioner stands evicted from the demised Shop No.1, WK-212, Basti Guzan, Basti Mithu Chowk, Jalandhar, vide order dated 08.02.2016, passed by learned Rent Controller, Jalandhar on the ground of personal necessity of the landlady-Neelam Sabharwal. The tenant has filed an appeal against the eviction order; and has filed the present revision directed against the order dated 01.08.2017 (**Annexure P-3**), passed by learned Appellate Authority, Jalandhar, whereby the tenant's application for amendment of the written statement has been dismissed.

It is apparent that the proposed amendment sought in the written statement at the appellate stage is to the effect that the tenant had been inducted by Smt. Melo Devi, the original owner and subsequently the suit property had devolved on her husband-Tilak Raj and son-Subhash Chander, to whom the tenant had continued to pay rent.

To the plea raised by the landlady that she had purchased the property, vide sale deed from Tilak Raj, the tenant has denied such knowledge.

The tenant has also specifically taken a stand that Neelam Sabharwal is not the owner of the property nor she is the landlady of the shop in question. The Appellate Court, vide order dated 01.08.2017 (P-3), has noticed the contentions of the proposed amendment that the same are already in the original statement filed by the tenant.

After arguing for sometime and having failed to convince the Court on merits, learned Counsel for the petitioner prays for permission to withdraw the present revision petition.

In view of the above, the present petition is dismissed as withdrawn.

October 26, 2017
Gagan

(JASWANT SINGH)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>