

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

Civil Revision No.853 of 2017
Date of decision: March 02, 2017

Harbans Singh

...Petitioner

Versus

Surinder Kumar & another

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Namit Gautam, Advocate for the petitioner.

Rajan Gupta, J.

Present revision is directed against the order dated 17.12.2016, passed by Rent Controller, Jalandhar, whereby application filed by the petitioner for amendment of rent petition has been rejected.

Learned counsel for the petitioner has assailed the order. He submits that there are certain subsequent events which are necessary to be incorporated in the petition. Thus, impugned order deserves to be set-aside.

I have heard learned counsel for the petitioner and given careful thought to the facts of the case.

It appears, petitioner along with proforma respondent filed a petition under section 13 of East Punjab Urban Rent Restriction Act against respondent No.1 regarding a shop situated in Rama Mandi, Jalandhar on the ground of non-payment of rent and personal necessity. During pendency of ejectment petition, petitioner filed instant application for amendment of petition on the ground that respondent No.1 by filing

written statement had tried to deny the fact of personal necessity of the petitioner and thus, amendment was necessary for arriving at correct conclusion. Trial court rejected the prayer observing that application was not maintainable at such a belated stage. From a perusal of the impugned order, it reveals that petition for ejectment was filed on 25.01.2013 and respondent No.1 filed written reply on 10.09.2013. Thereafter, petitioner did not file any such application for amendment and it was only on 10.09.2014, he filed instant application. Thus, trial court has not committed any error in dismissing the same. I find no legal infirmity with the order. The revision petition is, thus, without any merit and is hereby dismissed.

March 02, 2017
'Rajpal'

(RAJAN GUPTA)
JUDGE

Whether speaking / reasoned

Yes / No

Whether Reportable:

Yes / No