

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

146

CR No.101 of 2018 (O&M)  
Date of decision: 29.08.2018

Gurwinder Singh

..... Petitioner

Versus

S. Sukhpreet Singh

..... Respondent

**CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL**

Present:- Mr. Vishneet Singh, Advocate  
for the petitioner.

Mr. Deepak Nayar, Advocate  
for the respondent.

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**ANIL KSHETARPAL, J. (ORAL)**

Tenant-petitioner is in the revision petition against the order passed by the learned Rent Controller refusing amendment of the written statement.

Learned counsel for the tenant-petitioner has submitted that through amendment, the tenant only wishes to bring on record the fact that the landlord is in the habit of filing the petition and after getting eviction order, inducting a new tenant at increased rent.

In the considered opinion of this Court, the plea which is sought to be taken is part of the evidence. The evidence is not required to be pleaded. The landlord is in the process of leading his evidence and the tenant is yet to cross-examine those witnesses. The tenant is at liberty to confront the facts to the witnesses produced by the landlord. Still further, the tenant would be at liberty to lead evidence while defending the case.

It is to be noted that the evidence on this aspect shall not be refused by the learned Rent Controller on the ground that such evidence is beyond pleadings.

In view thereof, the revision petition is disposed of.

29.08.2018  
Dinesh Bansal

( ANIL KSHETARPAL )  
JUDGE

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|---------------------------|----------|
| Whether speaking/reasoned | Yes / No |
| Whether Reportable        | Yes / No |