

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

1. CR No.1880 of 2018
Date of decision : 21.03.2018

Ashok Kumar

...Petitioner

Versus

MMV Samiti (Regd.) Kaithal through Vice President Bal Krshan Latka

...Respondent

2. CR No.1896 of 2018
Date of decision : 21.03.2018

Mukesh @ Mukesh Chander

...Petitioner

Versus

MMV Samiti (Regd.) Kaithal through Vice President Bal Krshan Latka

...Respondent

3. CR No.1899 of 2018
Date of decision : 21.03.2018

Chanderpati and another

...Petitioners

Versus

MMV Samiti (Regd.) Kaithal through Vice President Bal Krshan Latka

...Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Navmohit Singh, Advocate for the petitioners.
(In all revision petitions)

ANIL KSHETARPAL, J. (ORAL)

By this common order, this Court shall be disposing of three petitions bearing CR Nos.1880, 1896 and 1899 of 2018, in which common issue is involved and similar orders were passed by the learned Rent Controller. Learned counsel for the petitioner has also very fairly submitted that the issue for adjudication would be common. In all these three cases, the tenant-petitioner is in the revision petitions against the order passed by the learned Rent Controller dismissing an application for leading additional evidence.

The petitioner by way of additional evidence wants to bring on record the fact that other college i.e. R.K.S.D. College has appointed many Professors whereas the Management of the Indira Gandhi College have not appointed any, and, therefore, it appears that the entire motive of the Management is to close down the college. In reply, the Management pointed out that the Government policy keeps changing and they have appointed the contractual staff.

The Rent Controller, while dismissing an application for leading additional evidence has observed that additional evidence sought to be produced has no relevance on the decision of the present case. Management had filed the petition under Section 13 of the Haryana Urban Rent Control Act, 1973 seeking eviction of the tenants-petitioners herein on the ground of non-payment of rent and personal necessity. The Court has found that the evidence sought to be produced in additional evidence have no relevance to the issue involved in the present cases.

Learned counsel for the petitioner has submitted that since it is

apparent that the Management is not appointing regular Lecturers/teaching staff, therefore, having intention that after getting the eviction order, the Management would close the college. He submits that the appointment of the teaching staff is necessary for running the college.

It is not disputed that the Management is running a private college. If the Management is able to take work from the contractual staff, the intention of the Management to run the college cannot be doubted. It is the choice of the Management whether they want to appoint the regular Lecturers or teaching staff on contract.

In view thereof, there is no scope for interference.

All the revision petitions are dismissed.

21.03.2018

Pawan

**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No