

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

112

**CR-2548-2018 (O&M)
Date of Decision : 20.4.2018**

Kharaiti Lal

..... Petitioner

Versus

Amarjit Singh and others

..... Respondents

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. A.P.S.Sandhu, Advocate
for the petitioner.

AJAY TEWARI, J. (Oral)

This petition has been filed against the order declining an application under Order 6 Rule 17 CPC filed by the tenant.

The respondents No.1 and 2 had filed an application for eviction of the petitioner and one of the ground taken was for their own use. When the case was at the fag end and even the cross-examination of the petitioner had partly taken place, the present application was moved by the petitioner wherein it was stated that during the pendency of the case, the son of the respondent No.1 had shifted to Australia and even the respondent No.1 wanted to shift to Australia. In the reply this fact was denied as well as the maintainability of the application was disputed. The Rent Controller rejected it holding that the facts mentioned in the application were not mentioned even in the affidavit which the petitioner had filed in his evidence. The application also does not show when the subsequent fact has really happened.

In the circumstances, no fault can be found with the order of

the Rent Controller. The petition stands dismissed

Since the main case has been decided, the pending civil miscellaneous application, if any, also stands disposed of.

20.4.2018
anuradha

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned	-	Yes/No
Whether reportable	-	Yes/No