

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

**C. R No. 6894 of 2017 (O&M)
Date of decision : 23.01.2018**

Ramesh Singh

....Petitioner

versus

Kundan Singh

...Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Akhilesh Vyas, Advocate
for the applicant-petitioner.

RITU BAHRI, J. (Oral)

C.M. No. 662-CII-2017

Application is allowed as prayed for.

Accordingly, Annexure P-4 (colly) is taken on record.

C.R. No. 6894-2017

Challenge in this petition is to order dated 03.07.2017 passed by learned Rent Controller, Amritsar.

At the very outset, learned counsel for the petitioner submits that the evidence of landlord is still going on. Learned counsel further submitted that in compliance of order dated 15.11.2017, petitioner had deposited Rs.5000/- ad costs.

Learned counsel while referring to the zimini order (P-4 colly) states that only three opportunities were granted to the petitioner to file written statement. Learned counsel for the petitioner submits that the petitioner wants to file written statement.

Reference at this stage can be made to a judgment passed by this Court in a case of *Shayam Lal vs. Bimla Kumari @ Naina Gill and*

anr, 2012(1) R.C.R (Rent) 510 wherein the petition filed by the petitioner for amendment of written statement under Section 13 of the East Punjab Urban Rent Restriction Act, 1949 was allowed, subject to payment of Rs.3000/- as cost precedent.

In view of the above, order 03.07.2017 passed by learned Rent Controller, Amritsar is hereby set aside and the instant revision petition is ***allowed***, subject to deposit of cost of Rs.10000/- to be paid to the respondent. and the trial Court is directed to give one effective opportunity to the petitioner to file the written statement and to examine two witnesses i.e Bunt son of Pritam Das, resident of Shiv Gali, House No. 13/405, Taab Basti Ram, Amritsar and Ramesh Kumar son of Payara Lal, resident of 331, Bhawani Nagar, Majitha Road, Amritsar.

23.01.2018

G.Arora

Whether speaking/reasoned
Whether reportable

Yes
No

(RITU BAHRI)
JUDGE