

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

**Civil Revision No.8813 of 2017 (O&M)
Date of Decision: January 16, 2018.**

Sanjay Mittal

.....PETITIONER(s).

VERSUS

M/s Ally Venture & Company and others

....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. K.K. Garg, Advocate
for the petitioner (s).

SURINDER GUPTA, J.

Heard.

The application filed by the petitioner seeking amendment of the reply to incorporate the plea that petition filed by respondent-landlord seeking ejectment of petitioner-tenant is barred by res judicata as the earlier petition filed on the same ground of subletting, was dismissed.

The trial Court took note of the fact that earlier petition filed by the respondent-landlord was dismissed in default and the plea of res judicata is not applicable to the petition filed under the Rent Act. The petitioner-tenant has already taken the plea in para 7 of the reply to this effect.

Learned counsel for the petitioner could not assail that the fact which is sought to be added by way of amendment is already in para 7 of reply filed by the petitioner before the Rent Controller. I find no legal infirmity in the order passed by the Rent Controller calling for any

interference by this Court.

This petition has no merits. Dismissed.

January 16, 2018.
Sachin M.

(SURINDER GUPTA)
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes/No</i>
<i>Whether Reportable:</i>	<i>Yes/No</i>