

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

237

CR-8770-2017 (O&M)

Date of decision: 09.05.2019

SUBHASH CHANDER

... Petitioner

Versus

MANGE RAM AND ANR

... Respondents

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present : Mr. Ajay Jain, Advocate for the petitioner.
Mr. Sanchit Punia, Advocate for the respondents.

REKHA MITTAL, J. (Oral)

Challenge in the present petition has been directed against order dated 29.11.2017 passed by the Rent Controller, Hisar whereby application for amendment of written statement filed by the petitioner was dismissed in view of observations made in para 6 of the impugned order.

A relevant extract therefrom reads as follows:-

After hearing learned counsels for the parties and having gone through the pleadings, it is revealed that the amendment sought by respondent in the written statement/reply is much more kind of evidence which has to be produced during his opportunity to lead evidence. Similar kind of defence has been taken by him in the earlier written statement. It is well settled principle of law that in pleadings there should not be mentioned about evidence. Moreover, in the present case, the petitioner is leading evidence and availed four opportunities to lead evidence. This Court is not satisfied that the above stated amendment is necessary for the pleadings of respondent.

After arguing at some length, counsel for the respondents would state that the respondents would not raise objection with regard to the petitioner adducing evidence in regard to the facts sought to be added by way of amendment, in terms of observations made by the Rent Controller.

Counsel for the petitioner, in view of the statement made by counsel for the respondents would state that the petition may be disposed of accordingly.

Disposed of accordingly.

09.05.2019

ashok

**(REKHA MITTAL)
JUDGE**

Whether speaking/reasoned:

Yes / No

Whether reportable:

Yes / No