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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CR No.6334 of 2018 (O&M)

Date of Decision: 08.05.2019

Jeet Kumar @ Jeet Lal (Since Deceased) Th. LR

..... Petitioner

Versus

Krishnawanti and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Namit Gautam, Advocate,
for the petitioner.

Mr. Chandan Deep Singh, Advocate,
for respondent No.1.

SUDIP AHLUWALIA, J. (ORAL)

The present revisional petition is directed against the impugned order dated 21.07.2018 (Annexure P-7), passed by the Ld. Rent Controller, Ludhiana.

2. Vide aforesaid order, the petitioner's Application under Order 6 Rule 17 of the CPC, seeking an amendment in his original written statement (Annexure P-5) was rejected.

3. The Eviction Petition was filed against the petitioner by the respondent/landlord.

4. On perusing the petitioner's amended written statement (Annexure P-2), it is seen that in the beginning of Para No.2 of his Reply on merits, it is clearly mentioned that:

“Shri Kashmira Singh was owner/landlord of the property in dispute and rent note was also executed by said Shri Kashmira Singh”.

5. Now, according to the petitioner in the following line, due to pure typographical error, the word “not” was omitted in between the words 'is' and 'denied'. In fine, therefore, he does not deny the landlord-tenant relationship and had only sought to get the relevant word “not” to be inserted at the appropriate places in the said Paragraph.

6. The Amendment Application was rejected by the Ld. Rent Controller in view of the objection raised at that stage on behalf of the respondent/landlord. But before this Court, Ld. Counsel for the respondent/landlord concedes in all fairness that there was actually no denial to the landlord-tenant relationship and that in all propriety, the Amendment Application should have been allowed.

7. In view of the aforesaid submission and considering the innocuous nature of the proposed amendment, the impugned order passed by the Ld. Court below is set aside and the petitioner's aforesaid Amendment Application (Annexure P-5) stands allowed. His amended Written Statement, if already filed, shall be accepted by the Ld. Rent Controller. Otherwise he is at liberty to file the same on or before the

next date fixed in the Ld. Court below.

8. Disposed off.

08.05.2019

Apurva

**(SUDIP AHLUWALIA)
JUDGE**

1. Whether speaking/ reasoned : Yes/ No

2. Whether reportable : Yes/ No