

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

CR-192-2020 (O&M)

Date of decision : 13.01.2020

Shakil Ahmad (since deceased) through his LR's

...Petitioner(s)

Versus

Rajinder Sehgal (since deceased) through his LR's and another

...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Ramnish Puri, Advocate for the petitioner(s).

ANIL KSHETARPAL, J. (ORAL)

Tenant-petitioner(s) is in the revision petition against the order passed by the Appellate Authority, refusing the permission to amend the written statement.

It may be noted that late Sh. Rajinder Sehgal had filed a petition under Section 13 of the Haryana Urban (Control of Rent and Eviction) Act, 1973. Learned Rent Controller ordered the eviction, against which an appeal is stated to be pending. During the pendency of the first appeal, the tenant moved an application for permission to amend the written statement with a view to incorporate the subsequent developments. Landlord had sought ejectment on various grounds including the bona fide requirement of the property. The tenant now claims that in view of the subsequent developments, the landlord does not bona fide require the tenanted premises.

Learned Appellate Authority, after considering the matter, dismissed the application.

The bona fide requirement of the landlord has already been contested by the tenant while filing the reply to the eviction petition. The pleadings have to be in concise form as required under Order 6 Rule 2 CPC.

In these circumstances, the present revision petition is disposed of by granting liberty to the petitioner(s) to move an application for additional evidence, if so advised. If such an application is filed, learned Appellate Authority would decide the same in accordance with law.

13.01.2020

Pawan

**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No