

In the High Court of Punjab and Haryana at Chandigarh

112

CR-8278-2019 (O & M)

Date of Decision: February 06, 2020

SAROJ CHAWLA

....PETITIONER

VERSUS

SNEH SHARAN

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Ms. Anjali Kukar, Advocate for the petitioner.

ANUPINDER SINGH GREWAL, J (ORAL)

The petitioner has challenged the order dated 14.11.2019 whereby the application preferred by the respondent-landlord for amendment of the plaint has been allowed.

Learned counsel for the petitioner contends that the respondent-landlord in the petition for eviction of the premises had stated that the rent till the date of the filing of the petition had been paid by the petitioner-tenant and, therefore, the amendment in the pleadings to incorporate that the rent had not been paid by the petitioner-tenant could not have been allowed. She also contends that the petitioner had paid the rent till the filing of the petition and she would be able to prove the same before the Rent Controller.

Heard.

The respondent-landlord had filed a petition for eviction of the petitioner-tenant from the premises on the ground that he bona fide requires the premises for his own use. In para 3 of the petition, it was stated that the

petitioner-tenant is regularly paying the rent to the respondent-landlord. The amendment has been sought to enable the respondent-landlord to aver in the pleadings that the petitioner-tenant had not paid rent from December 2017. The trial is at the initial stage and issues are yet to be framed. The amendment has been rightly allowed by the trial Court as it appears to be in the interest of justice.

Consequently, I do not find any illegality in the impugned order which would warrant interference while exercising revisional jurisdiction.

The petition stands dismissed.

It is clarified that nothing observed hereinbefore shall have any bearing on the merits of the controversy which would be adjudicated upon by the trial Court after affording adequate opportunity to the parties to lead their evidence.

(ANUPINDER SINGH GREWAL)
JUDGE

February 06, 2020
A.Kaundal

Whether speaking/ reasoned	:	Yes/No
Whether Reportable	:	Yes/No