

Pratishth Mandir Murti Thakur

.....Petitioner

versus

Raj Kumar Sharma

.....Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTALPresent: Mr. Shiv Kumar, Advocate
for the petitioner**Sudhir Mittal, J. (Oral)**

The petitioner is aggrieved because its application for additional evidence has been dismissed vide the impugned order dated 02.03.2020.

The petitioner has preferred an eviction petition in which an application for leading additional evidence was filed at a belated stage. The same has been dismissed by the Rent Controller on the ground of lack of diligence.

A perusal of the impugned order shows that the alleged resolution sought to be adduced by way of additional evidence was not filed with the eviction petition. The said document is stated to be of the year 2011 and the eviction petition was filed in the year 2017. Thus, the same should have been in the knowledge of the petitioner at the time of filing the eviction petition. At a belated stage a party cannot be permitted to lead additional evidence unless there are sufficient grounds for adducing the same. No such grounds have been made out, thus, the Rent Controller was justified in dismissing the application.

For the aforementioned reasons, the revision petition has no merit and is dismissed.

February 26, 2021

*Poonam Negi***[SUDHIR MITTAL]
JUDGE****Whether speaking/reasoned : Yes/No****Whether Reportable : Yes/No**