

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

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**CR-1342-2020 (O&M)**

**Date of Decision : 14.12.2022**

Anjana Mehra

....Petitioner

VERSUS

Urmil Rani Khosla @ Urmil Rani

....Respondent

**CORAM : HON'BLE MRS. JUSTICE ALKA SARIN**

Present : Mr. Kushagra Mahajan, Advocate for the petitioner.

Mr. Divanshu Jain, Advocate for the respondent.

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**ALKA SARIN, J. (Oral)**

The present revision petition has been filed under Article 227 of the Constitution of India challenging the order dated 11.12.2019 dismissing the application filed under Order 6 Rule 17 CPC for amendment of the written statement to bring on record certain subsequent events.

The brief facts relevant to the present lis are that the respondent-landlady filed a petition under Section 13 of the East Punjab Urban Rent Restriction Act, 1949 for ejectment of the petitioner-tenant from a shop on the ground of bonafide personal necessity that the demised premises/shop was required for her sons Naveen Khosla and Sandeep Khosla for carrying on business. During the pendency of the ejectment petition the daughters-in-law of the respondent-landlady purchased a building bearing No.240, Katra Ghanayia, near telephone Exchange,

Amritsar and the said building was given on lease to ICICI Bank. It is pertinent to note that a similar application for eviction was filed by the respondent-landlady against another tenant namely, Rakesh Aggarwal, in which a similar application for amendment was filed by the tenant therein i.e. Rakesh Aggarwal, for bringing on record the same very subsequent events which application came to be allowed by the Rent Controller vide order dated 29.10.2019. Admittedly the said order has not been challenged by the respondent-landlady.

Learned counsel for the petitioner-tenant would contend that the proceedings are still at the initial stage inasmuch as only one witness of the respondent-landlady has been examined and further that the subsequent events would be necessary for a just decision in the present case.

Per contra, learned counsel for the respondent-landlady has vehemently contended that the application has rightly been dismissed. He however is not in a position to deny that in the case filed by the respondent-landlady against Rakesh Aggarwal a similar application has been allowed by the Rent Controller which order has not been challenged by her till date.

Heard.

Keeping in view the fact that the amendment sought is qua a subsequent event and a similar application already stands allowed in favour of another tenant, which has not been challenged by the respondent-landlady as also keeping in view the fact that the amendment would be necessary for a proper and just decision of the present case, the present revision petition is allowed and the order dated 11.12.2019 dismissing the application filed under Order 6 Rule 17 CPC is set aside. However, keeping

in view the fact that the eviction petition was filed on the ground of personal necessity in the year 2016, the Rent Controller is requested to expedite the hearing of the ejectment petition. Pending applications, if any, also stand disposed off.

Any observation made herein-above, shall not be treated as an expression of opinion on the merits of the case.

**December 14, 2022**  
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**(ALKA SARIN)**  
**JUDGE**

NOTE : Whether speaking/non-speaking : Speaking  
Whether reportable : YES/NO