

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

CR-1807-2022 (O&M)
Date of decision : 21.07.2022

Rakesh Kumar Dogra @ Ricky

... Petitioner(s)

Versus

Subhash Chander & Anr.

... Respondent(s)

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Umesh Aggarwal, Advocate for
Mr. Prateek Sodhi, Advocate for the petitioner.

Mr. Divanshu Jain, Advocate for the respondents.

ALKA SARIN, J. (ORAL)

Mr. Divanshu Jain, Advocate has put in appearance on behalf of the respondents and states that he has no objection if the impugned order dated 22.04.2022 (Annexure P-5) is set aside and the amendment application is allowed.

In the present case, an application was filed by the tenant-petitioner for amendment of the written statement on the ground that during the pendency of the ejectment application some new facts had come to his knowledge to the effect that the landlord-respondents had purchased a commercial property i.e. Plot No.33 measuring 60 sq. yds. and the said fact had not been disclosed by the landlord. It was further averred that the tenant-petitioner came to know of the purchase of the said property on 14.02.2022 and, hence, the application for amendment of the written statement was filed. The said application was contested by the landlord-respondents stating that there has been no concealment and that the said plot

had been purchased in the name of the wife and was residential in nature. The said amendment application was dismissed vide the impugned order dated 22.04.2022 only on the ground that the application had been filed at a belated stage.

In view of the statement made by learned counsel for the landlord-respondents, the present revision petition is allowed, the impugned order dated 22.04.2022 (Annexure P-5) is set aside and the amendment application filed by the tenant-petitioner is allowed

Keeping in view the fact that the ejectment petition is pending since 2017, the Rent Controller is requested not to give unnecessary adjournments and to conclude the hearing of the matter expeditiously. It is made clear that anything observed herein shall not be treated as an expression of opinion on the merits of the case.

Disposed off, accordingly. Pending applications, if any, also stand disposed off.

21.07.2022
Yogesh Sharma

(ALKA SARIN)
JUDGE

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