

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

CR-5223-2022 (O&M)

Date of Decision: November 15, 2022

Ravinder Rai Sapra through his LRs and another

...Petitioners

AND

Gurinder Singh

...Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present: Mr.Divanshu Jain, Advocate
for the petitioners.

ARCHANA PURI, J.

Challenge in the present petition is to the order dated 11.10.2022 passed by learned Rent Controller, whereby, an application for amendment of the written statement, filed by the petitioner (who was respondent before the Rent Controller), has been dismissed.

It is submitted by learned counsel for the petitioners that in the impugned order, while making observations, vis-a-vis, requirement of personal necessity of the petitioners, learned Rent Controller had gone beyond and had made some observations, on merits of the case, which was not appropriate, while deciding the application for amendment of written statement.

Notice of motion.

Mr.Aayush Gupta, Advocate has made appearance on behalf of the respondent and has filed Memorandum of Appearance, which is taken

on record.

During the course of arguments, it has been submitted by learned counsel for the petitioners that he confines his prayer for amendment of the written statement, only qua the contents of paragraph Nos.7 and 8 of the application, which is Annexure P-5. Learned counsel for the respondent submits that he has no objection, if the amendment qua paragraph Nos.7 and 8 of the application (Annexure P-5) is allowed, without prejudice to the rights of parties, to be adjudicated on merits, as learned counsel for the respondent disputes the contents of aforesaid paragraph Nos.7 and 8.

Also, learned counsel for the petitioners submits that the petitioners shall not be leading any evidence, in terms of amendment aforesaid.

In the light of the submissions, so made, by learned counsel for the parties and also considering the contents of paragraph Nos.7 and 8, which relate to mention to be made of the subsequent events, after filing of the ejection petition, the present petition is hereby partly allowed and the impugned order dated 11.10.2022 is set aside, with an observation that amendment confines only to paragraph Nos.7 and 8 of the application (Annexure P-5).

Accordingly, learned Rent Controller shall proceed further, after allowing of the amendment, as aforesaid.

November 15, 2022
Vgulati

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes/No