

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

120

CR-7129-2019

Date of decision: 29.11.2022

SAT NARAIN

..Petitioner

Versus

SUSHIL KUMAR

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. G.C. Shahpuri, Advocate
for the petitioner.

Mr. S.P. Garg, Advocate
for Mr. Lalit Sharma, Advocate
for respondent.

ANIL KSHETARPAL, J(Oral)

An application filed by the petitioner for permission to amend the written statement during the pendency of the first appeal has been dismissed by the Appellate Authority. The petitioner herein is a tenant who has been ordered to be ejected from the rent premises by the Rent Controller vide order dated 29.09.2017.

Sh. Sushil Kumar filed a petition seeking ejectment of the petitioner on various grounds including the bona fide personal necessity. In para 4(ii), he stated that the building is required by him for his own use as he wants to reconstruct the entire building. It has been stated that he has two sons Sh. Varun Kumar and Sh. Apoorv. Sh. Varun Kumar wants to start his own business. Similarly, younger son Sh. Apoorv is studying B.Com (Honours) and the petitioner wants to settle his sons. The Rent Controller found merit in the respondent's case. During the pendency of the first appeal, the petitioner filed an application alleging that now Sh. Apoorv has completed the course of Chartered Accountancy and have started his practice at Delhi. On that pretext, the petitioner wishes to amend the written

statement which has been declined by the Appellate Authority. The learned counsel representing the petitioner contends that the petitioner only wishes to bring on record a subsequent event which should be allowed to be incorporated in the pleadings. This Court has considered submissions of the learned counsel. It is not in dispute that the ejectment of the petitioner was sought on the ground of bona fide personal necessity of the landlord and his family members including his other son Sh. Varun Kumar.

In such circumstances, there is no scope for the interference in the order passed by the Appellate Authority.

Hence, dismissed.

All the pending miscellaneous applications, if any, are also disposed of.

November 29th, 2022

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**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned : *Yes/No*

Whether reportable : *Yes/No*