

In the High Court of Punjab and Haryana at Chandigarh

122

CR-6269-2022 (O & M)

Date of Decision: January 10, 2023

RAVINDER SINGH

.....PETITIONER

VERSUS

DINESH BANSAL AND ANOTHER

....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr.Gurcharan Dass, Advocate for the petitioner.

Mr. Amandeep Singh Manaise, Advocate
for the caveator-respondent.

ANUPINDER SINGH GREWAL, J (ORAL)

The petitioner has challenged the order dated 23.11.2022 whereby his application under Order 6 Rule 17 read with Section 151 CPC for amendment of the written statement had been declined.

Learned counsel for the petitioner submits that the application for amendment had been filed bona fide to incorporate the rent note in the written statement, which would help the Rent Controller in determining the real controversy.

Learned counsel for the caveator-respondents submits that the application for amendment had been made to overcome the lacuna in his defence and to delay the matter.

Heard.

The respondents-landlords are stated to have filed a petition under Section 13 of the East Punjab Urban Rent Restriction Act for eviction of the petitioner-tenant. The petitioner-tenant is stated to be in occupation of the

premises since 1982. The petitioner in the written statement had admitted the factum of the grandmother of the respondents-landlord having let out the premises in the year 1982. The landlord had led and closed his evidence. The petitioner herein/tenant had also examined three witnesses. Thereafter, he has now sought to amend the afore-noted part in the written statement and to incorporate the rent note therein. The rent note was already in the knowledge of the petitioner/tenant and he ought to have pleaded with regard thereto in the written statement at the first instance.

I am in agreement with the order passed by the trial Court that the application for amendment has been filed deliberately to delay the matter and it does not meet the requirements set out in Order 6 Rule 17 CPC.

Consequently, the petition being devoid of any merit stands dismissed.

(ANUPINDER SINGH GREWAL)
JUDGE

January 10, 2023
A.Kaundal

Whether speaking/ reasoned	:	Yes/No
Whether Reportable	:	Yes/No