

2025:PHHC:035449



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

119

CR-1526-2025 (O&M)

Date of Decision : 12.03.2025

LALIT MAHAJAN

.... Petitioner

VERSUS

SANTOSH KOHLI

.... Respondent

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Ashish Aggarwal, Advocate for the petitioner.

ALKA SARIN, J. (ORAL)

1. The present revision petition has been filed under Article 227 of the Constitution of India challenging two separate orders both dated 05.03.2025 (Annexure P-7) passed by the learned Civil Judge (Junior Division), Amritsar whereby two applications - one filed under Order 12 Rule 8 CPC read with Section 151 CPC and the other filed under Section 151 CPC for production of additional evidence - were dismissed.

2. On a query put by the Court as to how a single revision petition is maintainable against two separate orders, learned counsel for the petitioner states that since the subject matter in both the applications was with respect to the electricity bills, hence the present revision petition challenging two separate orders of the even date is maintainable.

3. Learned counsel for the petitioner would contend that the application under Order 12 Rule 8 CPC was filed for supply/production of the electricity bills. However, the same has erroneously been dismissed as

the bills are not necessary for adjudication of the rent petition. It is further the contention of the learned counsel for the petitioner that the application under Section 151 CPC for production of additional evidence has also erroneously been dismissed as the bills came to the knowledge of the petitioner just prior to the filing of the said application.

4. Heard.

5. In the present case two separate orders have been challenged by filing a common revision petition. Though the revision petition itself challenging two separate orders is not maintainable, however, since no objection was raised by the Registry, this Court does not wish to delve into the issue of maintainability.

6. Application under Order 12 Rule 8 CPC (Annexure P-3) was filed by the petitioner for production of documents. It is to be noticed that the application has been filed at the fag end of the matter. The previous order passed by the Rent Controller concerned dated 13.12.2024 reveals that upto 13.12.2024, 35 opportunities had been availed by the petitioner and she had yet failed to conclude her evidence. Subsequently, three more opportunities were given to the petitioner for production of her evidence. Even after closing the oral evidence of the petitioner, last opportunity was given to her to tender any documentary evidence. Even after the last opportunity was granted for tendering the documents, no document was tendered by the petitioner. A perusal of the application under Order 12 Rule 8 CPC, which has been filed by the petitioner on 05.03.2025, reveals that the same is totally bereft of any details as to what is the date of knowledge of the

petitioner though in para No.3 it has been stated that the evidence could not be brought on the record despite best efforts. However, the details are woefully missing from the said application inasmuch as neither it has been stated as to when the petitioner got hold of the said documents nor when the said facts actually came to her notice. Similarly, the application for additional evidence is also totally bereft of any details as to when the said evidence, which is now sought to be led as additional evidence, came to the knowledge of the petitioner. The petitioner, who is a tenant in the present case, appears to be delaying the proceedings in the rent petition which has been pending since 2016. Despite 35 opportunities having been granted, the petitioner failed to lead the requisite evidence and now in order to further delay the matter the present applications have been filed.

7. This Court refrains itself from commenting on the conduct of the petitioner as well as from imposing costs.

8. In view of the above, I do not find any merit in the present revision petition and the same being devoid of any merit is accordingly dismissed. Pending applications, if any, also stand disposed off.

12.03.2025

Aman Jain

(ALKA SARIN)
JUDGE

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: Yes/No