



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

118(1)

**CR No.3118 of 2026 (O&M)
Date of decision:30.04.2026**

SANAM SINGH

...PETITIONER

VERSUS

CHIEF KHALSA DIWAN (LOCAL COMMITTEE) SHRI GURU
HARKRISHAN PUBLIC SCHOOL

...RESPONDENT

118(2)

CR No.3126 of 2026 (O&M)

DEVINDER SHARMA

...PETITIONER

VERSUS

CHIEF KHALSA DIWAN (LOCAL COMMITTEE) SHRI GURU
HARKRISHAN PUBLIC SCHOOL

...RESPONDENT

118(3)

CR No.3131 of 2026 (O&M)

BALVIR SINGH GILL @ BALBIR SINGH

...PETITIONER

VERSUS

CHIEF KHALSA DIWAN (LOCAL COMMITTEE) SHRI GURU
HARKRISHAN PUBLIC SCHOOL

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE PARMOD GOYAL

Present: Mr. Saurav Kanojia, Advocate
for petitioner in all cases.

PARMOD GOYAL, J. (ORAL)

Present civil revision petitions have been preferred under Article 227 of Constitution of India by petitioner being aggrieved by order dated 04.02.2026 (Annexure P-6) passed by learned Civil Judge (Junior Division)-cum-Rent Controller, Ludhiana whereby application filed by the

petitioner under Order XI Rules 12, 14 and 16 of Code of Civil Procedure, 1908 seeking production and discovery of documents, despite admitted relevance for effective cross-examination has been dismissed. Since the dispute involved in all the present petitions is identical, they are being decided by way of this common judgment. For the sake of reference, the facts, albeit briefly, are being taken from Civil Revision No. 3118 of 2026 titled ***“Satnam Singh Vs. Chief Khalsa Diwan (Local Committee) Shri Guru Harkrishan Public School”***.

2. Admittedly, respondent-landlord had sought eviction of petitioners/tenants on the ground of personal necessity. It is the case of respondent-landlord that tenanted premises is required for personal necessity i.e. for starting computer classes and more particularly coaching classes in commerce and computer in the tenanted premises. During the cross-examination of one of the witnesses relied upon by respondent-landlord, namely PW1-Manjit Singh Lamba, he admitted availability of original records/documents and agreed to produce the same on the next date of hearing. However, on next date of hearing i.e. 15.07.2025, said requisite record/documents were not produced and only extracts prepared out of the original records were placed before the Court.

3. It is the case of petitioners/tenants that on the subsequent date, the witness had deliberately denied availability of other relevant documents/records which he had admitted to produce on 24.03.2025 and the witness was evading questions put to him in his cross-examination.

Therefore, it was asserted that discovery of documents in possession of

respondent-landlord is necessary and accordingly, petitioners/tenants had sought production of following documents:-

- (i) Record of strength of students in the school from the year 2005 onwards.
- (ii) Copy of ownership documents of property of school.
- (iii) Copy of original site plan of school and other building of the suit property.
- (iv) Copy of record pertaining to rent received from the tenants.

4. Learned Rent Controller, Ludhiana, after considering respective contention raised by the parties and after perusal of cross-examination of PW-1-Manjit Singh Lamba had noted that he had never agreed to produce records sought by petitioner(s)/tenant(s) except the record of strength of students in the school from the year 2005 onwards. It was recorded by learned Rent Controller that remaining documents were never asked to be produced during the cross-examination of PW1-Manjit Singh Lamba. However, it was noticed by the learned Rent Controller in subsequent lines that since the petitioners/tenants had prayed for production of documents for effective cross-examination of PW-1, Court had allowed the said request. Respondent-landlord in its reply had claimed that it had already placed on record all the documents available with it and no other documents are available with it, and since respondent/landlord was not in possession of any other documents, it cannot be directed to produce on record any documents and application was accordingly disposed of.

5. On consideration, I do not find any merit regarding contention raised on behalf of petitioners/tenants that copy of ownership documents of property of school are required to be produced, especially when, relationship of respondent-landlord and petitioners/tenants is not disputed. Petitioners/tenants has no right to challenge or question the ownership when they admit the relationship of landlord and tenant. Similarly, petitioners/tenants cannot demand original site plan of school and other building and seek record pertaining to rent received from tenants as same is not an issue before the learned Rent Controller. None of the documents noticed above have any relevance as to the issue raised by respondent-landlord or petitioner-tenant and are not required to be adjudicated by learned Rent Controller. Dispute is not regarding payment of arrears of rent, but regarding whether respondent-landlord requires the suit property for his *bona fide* need for expansion of school activities.

6. Therefore, ownership documents of school, original site plan of school and building and rent received from petitioners/tenants cannot be held to be necessary documents in the present case. As far as record of strength of students in the school from year 2005 is concerned, the witness has already placed the details of the same on record. Therefore, he cannot be forced to produce record to justify details contained therein at this stage. It must be kept in mind that onus to prove personal *bona fide* necessity is upon respondent-landlord and petitioners/tenants are also free to show that the need of respondent-landlord is not *bona fide*. Accordingly, no interference with the impugned order is justified in the facts and circumstances of present

CR-3118-2026
CR-3126-2026
CR-3131-2026

case. However, it is made clear that petitioners/tenants shall be free to take all defenses and prove their case in accordance with law. They shall be free to dislodge case of landlord by their evidence or from evidence led by landlord.

- 7. Present Civil Revision Petitions are accordingly dismissed.
- 8. Pending application(s), if any, stand disposed of. Photocopy of this judgment be placed on the files of connected cases.

(PARMOD GOYAL)
JUDGE

30.04.2026
Sunil Chander

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No