



CR-5585-2024 (O&M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(351)

CR-5585-2024 (O&M)

Date of decision: - 27.01.2026

Manoj Kumar

....Petitioner

Versus

Mangal Dass deceased through his LR and another

.....Respondents

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. Gagandeep Singh Sirphikhi, Advocate
for the petitioner.Mr. Harminder Singh, Advocate
for respondent No.1.

VIKAS BAHL, J. (ORAL)

1. Present revision petition has been filed under Article 227 of the Constitution of India for setting aside the order dated 12.08.2024 (Annexure P-12) passed by the Rent Controller, Batala in RP-17-2017 vide which the application under Order 6 Rule 17 read with Section 151 CPC for amendment of the written statement has been dismissed.

2. Learned counsel for the petitioner has submitted that during the pendency of the case, respondent No.1 who had filed the petition had died and thus, the petitioner wanted to amend the written statement in order to take a plea with respect to the death of the said respondent No.1- Mangal Dass and also further aspects relatable to the same.

3. Learned counsel for respondent No.1, on the other hand, has



submitted that with respect to the merits of the amendment the aspect as to whether Kumar Gaurav is the legal representative of the deceased Mangal Dass or not has already been considered while deciding the LR application filed for the said Mangal Dass.

3. During the course of arguments, a very fair stand has been taken on behalf of the petitioner as well as respondent No.1 and in view of the same and the consensus arrived, the impugned order dated 12.08.2024 is set aside and the application under Order 6 Rule 17 CPC is allowed and the present revision petition is disposed of with the following observations/directions: -

- (i) Petitioner would file the amended written statement within a period of 10 days from today, by moving an application for placing on record the said amended written statement before the trial Court.
- (ii) The Rent Controller would grant one opportunity to the respondent No.1 to file replication to the same.
- (iii) The petitioner would be granted only two effective opportunities, after the above-said pleadings are complete, to lead their entire evidence.
- (iv) This Court has not opined on the merits of the pleas raised in the amended written statement and it would be open to both the parties to raise all pleas with respect to the said aspect and all other aspects at the stage of final arguments.
- (v) Since the rent petition is of the year 2017, the Rent

Controller is requested to decide the same as expeditiously as possible.

- (vi) Counsel appearing before the Rent Controller are also requested to fully assist the Court in the expeditious disposal of the case.

January 27, 2026
naresh.k

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No