

(2011) 05 P&H CK 0203

High Court Of Punjab And Haryana At Chandigarh

Case No: CR No. 2621 of 2011 (O and M)

Daljit Singh

APPELLANT

Vs

Kamlesh Khurana

RESPONDENT

Date of Decision: May 20, 2011

Acts Referred:

- East Punjab Urban Rent Restriction Act, 1949 - Section 15, 5

Hon'ble Judges: Jaswant Singh, J

Bench: Single Bench

Final Decision: Dismissed

Judgement

Jaswant Singh, J.

Tenant/Petitioner has approached this Court in a revision petition u/s 15/5 of the East Punjab Rent Restriction Act against the order dated 23.3.2011 passed by the learned Rent Controller, whereby his application for amendment of the written statement has been dismissed.

2. I have heard learned Counsel for the Petitioner and perused the paper book. I find no merit in the plea being raised for amendment of the written statement to incorporate the factum of earlier Eviction proceedings initiated by the Respondent/landlord against the father of the Petitioner filed in the year 1989 which was finally disposed of by this Court in revisional jurisdiction in view of the compromise arrived at on account of parties agreeing to enhanced rate of rent.

3. In my opinion, the learned Rent Controller has rightly observed that such an amendment is otherwise irrelevant since the present Eviction proceedings initiated in the year 2007 are on account of arrears of rent and personal necessity. It is further rightly observed by the learned Rent Controller that even otherwise the amendment has been sought at a belated stage of recording of evidence after the issues have been framed.

4. In view of the above, finding no merit in this revision petition the same is hereby dismissed.