



CR-4539-2025

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

CR-4539-2025

Date of decision: 12.08.2025

JITENDER PAL WALIA

...Petitioner

Versus

SHAILENDER SINGH

...Respondent

CORAM: HON'BLE MRS. JUSTICE SUDEEPTI SHARMA

Present: Mr. Manoj Pundir, Advocate and
Mr. Dilpreet, Advocate for
Mr. J.S. Pundir, Advocate for the petitioner.

SUDEEPTI SHARMA, J. (ORAL)

1. Present petition is preferred for setting aside the impugned order dated 27.05.2025 (Annexure P-1) passed by Ld. Civil Judge, (Senior Division), Gurugram in RA-33-2016, titled as '*Shailender Singh Versus Jitender Pal Walia*', whereby the application of the petitioner for seeking amendment in the written statement has been dismissed.
2. Learned counsel for the petitioner contends that Ld. Civil Judge, (Senior Division), Gurugram has wrongly dismissed the application filed by the petitioner for seeking amendment in the written statement and the impugned order is liable to be set aside.
3. I have heard learned counsel for the petitioner and perused the case file with his able assistance.



4. Relevant paragraph Nos.2 to 4 of the application for amendment of written statement dated 27.02.2025 (Annexure P-4) filed by the present petitioner are reproduced hereinafter.

“2. That while preparing the evidence of the respondent/applicant, the applicant prior to it when verified the facts, after cross examination of the petitioner recently, the respondent/applicant came to know that the petitioner has purchased the other land as shown in the sale deed in his favour which is actually situated on the back side other land of the Building (suit property) already on rent with the respondent and thus the sale deed dated 30.06.2004 which is regarding a plot, has no concern with the rented premises.

3. That the respondent/applicant, therefore, wants to amend the written statement to bring out the above facts especially by way amendment in the written statement at the end of preliminary objection of para no.5.

4. That the respondent/applicant came to entire above facts recently only few days back after cross-examination of petitioner.”

5. A perusal of the aforesaid paragraphs shows that the reasoning given by the present petitioner for amendment of written statement is very vague, as the said application was filed on 27.02.2025, whereas the rent petition under Section 13 of Haryana Urban Control of Rent and Eviction Act, 1973 is of the year 2016, issues were framed on 05.08.2023 and the respondent had already concluded his evidence on 13.01.2025. The amendment in the written statement, if allowed at such a later stage would amount to start the trial from the date of framing of issues, since the issues would also be required to be framed again.

6. Relevant paragraph Nos.5 and 6 of the impugned order are reproduced hereinafter.



“5. After perusing the contents of the application, its reply filed by the petitioner, pleadings put forth by both sides and after hearing learning counsel for both sides on the application, this court is of the view that the application is absolutely devoid of any merits. In the present case, after pleadings of both sides, issues were framed on 05.08.2023 and thereafter, the petitioner/landlord has already concluded his evidence 13-01-2025. In the application for amendment of the written statement to the eviction petition, it is stated that on 27-92-2025, the case was fixed for PWs whereas it was fixed for respondent/defendant evidence. The application has been presented on following grounds:

“That while preparing the evidence of the respondent/applicant, the applicant prior to it when verified the facts, after cross examination of the petitioner recently, the respondent/applicant came to know that the petitioner has purchased the other land as shown in the sale deed in his favour which is actually situated on the back side other land of the building (suit property) already on rent with the respondent and thus the sale deed dated 30.06.2004 which is regarding a plot, has no concern with the rented premises”

6. Aforesaid averments reflect that grounds for seeking amendment of the written statement is vague and ambiguous. The exact amendment sought to be incorporated in the amended written statement has also not been mentioned in the application. Thus, amendment of written statement at this stage of the case on the basis of vague and ambiguous application filed in casual manner cannot be allowed. It will start the denovo trial which is not warranted.”

7. Perusal of the above order dated 27.05.2025 shows that there is no infirmity in the same and the same does not warrant any interference by this Court.

8. Accordingly, the present revision petition is dismissed.

**(SUDEEPTI SHARMA)
JUDGE**

12.08.2025

Ithlesh

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