



CR-6638-2025 (O&M)

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

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**CR-6638-2025 (O&M)
Decided on :- 19.09.2025**

M/s APS International Pvt. Ltd.

....Petitioner

VERSUS

M/s Harbir Automobiles

....Respondent

CORAM : HON'BLE MS. JUSTICE MANDEEP PANNU

Present: Mr. Ankur Bansal, Advocate for the petitioner.

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MANDEEP PANNU J.

1. The present civil revision petition under Article 227 of the Constitution of India has been filed by the petitioner-landlord, M/s APS International Private Limited, assailing the order dated 25.08.2025 passed by the learned Rent Controller, Chandigarh, whereby the application moved by the petitioner for leading additional evidence was dismissed.

2. Briefly stated, the facts of the case are that the petitioner/landlord filed an ejectment petition seeking eviction of the respondent/tenant, M/s Harbir Automobiles, from the tenanted premises forming part of Plot No. 181, Industrial Area, Phase I, Chandigarh. The grounds pleaded were non-payment of rent and bona fide personal necessity. It was specifically pleaded that the petitioner company required the demised premises for constructing a warehouse, as the premises form part of a single line of godowns separated by inner fabricated walls,



and the petitioner intended to demolish the inner walls and construct a larger warehouse for its business purposes. The respondent filed written statement denying the alleged bona fide requirement and pleaded that the petitioner already had large buildings in the same plot which could serve its need.

3. Issues were framed and both sides led evidence. After conclusion of the evidence of the parties, the petitioner moved an application for additional evidence, submitting that certain other premises owned by it in the same plot were in a dilapidated condition and unfit for use, and in order to substantiate this fact it sought to produce a technical inspection report prepared by an industrial building expert and to examine the said expert. The application was opposed by the respondent on the ground that the plea sought to be introduced was beyond the pleadings, as nowhere in the ejectment petition had the petitioner pleaded that the alternate premises were unsafe or unfit for use.

4. The learned Rent Controller, after hearing the parties, dismissed the application holding that the ground now raised was an afterthought, being beyond the pleadings, and that additional evidence cannot be permitted to set up a new case. It was further observed that the petitioner's counsel had argued orally that the demised premises had become unsafe, whereas in the application it was alleged that the alternate premises were in dilapidated condition, thereby creating a serious contradiction in the stand of the petitioner.

5. Assailing the impugned order, learned counsel for the petitioner has argued that the learned Rent Controller wrongly recorded that the petitioner wanted to lead evidence to show that the demised premises were unsafe, whereas in fact it was the alternate premises which were stated to be dilapidated. It is



submitted that this misreading vitiates the impugned order and that in any case the additional evidence was necessary for proper adjudication of the issue of bona fide requirement.

6. I have considered the submissions and carefully gone through the record. The core issue for determination is not whether the learned Rent Controller correctly noted whether the report pertained to the demised premises or the alternate premises, but whether such additional evidence was at all necessary or permissible. It is well settled that additional evidence can only be allowed to clarify or supplement existing pleadings and issues, and not to introduce an altogether new plea. In the present case, the ejectment petition does not contain any averment that the alternate premises owned by the petitioner are in dilapidated or unsafe condition. No issue was framed to that effect. The attempt now made to produce a technical report and examine an expert on that point is clearly an effort to go beyond the pleadings and to set up a new case which was never projected in the original petition. Merely because the learned Rent Controller mis-described the property in its order does not render the dismissal illegal, for the substantive reason for rejecting the application is that the proposed evidence is beyond the scope of pleadings and issues.

7. Once the pleadings themselves do not raise the plea of the alternate premises being unsafe, the petitioner cannot be permitted to lead evidence on that aspect. Allowing such evidence would prejudice the respondent and upset the settled principle that no party can travel beyond its pleadings. The learned Rent Controller has, therefore, rightly declined the prayer for additional evidence.



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8. In view of the above discussion, I find no illegality, irregularity or perversity in the impugned order dated 25.08.2025 warranting interference in the exercise of supervisory jurisdiction under Article 227 of the Constitution of India. The civil revision petition is accordingly dismissed.

9. Pending application(s), if any, also stand disposed of.

September 19, 2025
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(MANDEEP PANNU)
JUDGE

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