



CR-9351-2025(O&M)

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

(116)

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Date of Decision:-12.12.2025

Prabha Singh

.....Petitioner

Versus

Kiran Mahindra

.....Respondent

CORAM: HON'BLE MR. JUSTICE AMARINDER SINGH GREWAL

Present: Mr. Sunpreet Singh, Advocate,
for the petitioner.

AMARINDER SINGH GREWAL, J. (Oral)

1. The present revision petition has been filed under Article 227 of the Constitution of India challenging the order dated 02.09.2025, passed by the learned Rent Controller, Ludhiana, whereby the application filed by the respondent-landlady under Order 6 Rule 17 CPC for amendment of the pleadings in Rent Petition No. RP/619/2019 was allowed.

2. Brief facts of the case are that the petitioner is a tenant in the demised premises since 1994 and is running a gas agency therefrom. The mother of the present respondent was the original landlady. It is undisputed that the respondent had earlier filed Rent Petition No. 471 of 2016 wherein Issue No. 1 relating to arrears of rent and liability of the tenant towards payment of house tax was decided in favour of the present petitioner. The said petition was otherwise dismissed on other grounds, and an appeal filed by the present petitioner is pending adjudication.

2.1. The respondent thereafter instituted another rent petition in

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2019 i.e., RP/619/2019, for eviction of the petitioner from the same premises. During pendency of the said petition, the respondent moved an application under Order 6 Rule 17 CPC seeking amendment of pleadings, asserting that the petitioner is liable to pay house tax for the period 2010 to 31.12.2024. That application was allowed by the learned Rent Controller vide the impugned order, which is the subject matter of the present revision.

3. Learned counsel for the petitioner submits that permitting an amendment regarding arrears of house tax amounts to reopening the findings recorded in RP No. 471 of 2016, wherein it was held that the rent paid by the tenant was inclusive of taxes. It is argued that the amendment violates the principle of *res judicata*, that it introduces a new cause of action, and that the learned Rent Controller has failed to appreciate that two rent petitions cannot simultaneously seek determination of the same issues relating to the same premises.

4. In view of the order proposed to be passed, notice is not being issued to respondent as it would delay the proceedings besides entailing additional expenses to the respondent.

5. I have heard learned counsel for the petitioner at length and perused the paper book.

6. The plea of the petitioner that the amendment violates the principle of *res judicata* is without merit. The finding in RP No. 471 of 2016 pertained to the liability towards payment of house tax for a particular period and was based on evidence led therein. Whether the petitioner remains liable for subsequent periods is a matter requiring independent



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adjudication. Proceedings under the Rent Act relate to continuing obligations and recurring liabilities; therefore, plea of res judicata cannot mechanically bar amendments concerning later periods.

7. Further, it cannot be overlooked that amendments are to be liberally allowed to avoid multiplicity of proceedings and to ensure effective adjudication of disputes. The amendment sought by the respondent does not change the nature of the petition, nor does it cause any prejudice to the tenant that cannot be compensated by granting opportunity to file an additional written statement. The contention that two rent petitions have been filed for the same premises also does not advance the petitioner’s case. The maintainability or merits of the second petition are not under challenge in the present proceedings. The only question is the correctness of the order allowing amendment, and on that limited issue, no jurisdictional error or perversity is found.

8. In view of the above discussion, this Court finds no infirmity or perversity in the impugned order dated 02.09.2025 (*Annexure P-1*) passed by the Learned Rent Controller, Ludhiana. Accordingly, the present Civil Revision Petition stands **dismissed**.

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

(AMARINDER SINGH GREWAL)
JUDGE

12.12.2025
Shubham

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