

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

Civil Revision No.1249 of 2015

Date of Decision: 21.02.2015

Sunder Singh

..... Petitioner

Vs.

Sheoran Singh and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Mukesh Rao, Advocate for the petitioner/plaintiff.

JASWANT SINGH, J. (ORAL)

Plaintiff is in revision aggrieved by the order dated 28.01.2015 (**P-6**), passed by the learned Civil Judge (Jr. Divn.), Gurgaon, whereby the application of the plaintiff for impounding the written partition deeds dated 04.06.1992 and 28.03.2006 (**P-3** collectively herein) as per the provisions of Sections 33 and 38 of the Indian Stamp and Registration Act, has been dismissed.

Having heard learned Counsel for the petitioner, this Court finds no grounds to interfere with the impugned order.

It is apparent that the plaintiff has filed a suit for partition and permanent injunction. The defendants have contested the jointness of the suit property by propounding two written partition deeds dated 04.06.1992 and 28.03.2006.

At the time of the evidence of the defendants, an application was moved by plaintiff for impounding the aforesaid deeds for the reason that they were insufficiently stamped and not registered. It is not in dispute that as regards, their admissibility regarding their status is to be seen at the time of trial.

The grievance of the petitioner is that there are certain findings, which are recorded against the present plaintiff in the impugned order, which would adversely affect the interest of the plaintiff at the time of decision of the trial.

After hearing learned Counsel, this Court finds that the raised grievance of the petitioner/plaintiff is totally misplaced. It cannot be disputed that the findings, if any, at this stage are only *prima facie* and are not binding on the trial Court, who otherwise is obliged in law to record its final findings based on evaluation of complete evidence adduced by the parties and the arguments addressed thereupon.

Thus, this Court finds no grounds to interfere with the impugned order, the revision petition is hereby dismissed.

February 21, 2015
Gagan

(JASWANT SINGH)
JUDGE