

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA AT
CHANDIGARH

C.R No.1284 of 2015 (O&M)
Date of Decision.09.03.2015

Arjun Singh

.....Petitioner

Versus

Pankaj Goyal and others

.....Respondents

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

CORAM:HON'BLE MR. JUSTICE K. KANNAN

1. Whether Reporters of local papers may be allowed to see the judgment ?
2. To be referred to the Reporters or not ?
3. Whether the judgment should be reported in the Digest?

-.-

K. KANNAN J. (ORAL)

1. A suit which was instituted in the year 2006 after the plaintiff and defendants were examined and their respective sides closed, an application appears to have been filed by the 2nd defendant who is the petitioner before this Court for reopening of the case and for reception of the additional documents. The additional documents purports to be proof of ownership in the name of his father 8th defendant in suit and the statement made before the Municipal Committee for changing the name of ownership from the 8th defendant to the 2nd defendant's name. It is admitted that the plaintiff who filed the suit also claimed from the 8th defendant as purchaser through the decree earlier in point of time to the 2nd defendant's purchase. The 8th defendant's ownership is, therefore, an admitted fact by both the plaintiff and the 2nd defendant. A document attempting to prove ownership of the 8th defendant at some point of time does not

therefore, assume too much of significance. The petitioner's claim is that his own attempt to change his name as the owner in the municipal records would require to be proved by production of the receipt. If the document was not filed at an earlier time, I asked the counsel as to why this document could not be produced since this must have been available with him even at the time when he filed the written statement. The counsel has no answer. In fact there is not even a justification given for the application for reception of additional evidence as to why this document could not be produced at an earlier time. I find no reason for making the intervention that this document assumes significance. If the ultimate decision in the case is not favourable to the defendant, he will make non-reception of the document as one of the grounds as contemplated in Order 43 Rule 1A CPC.

3. With this liberty, the civil revision is dismissed.

(K. KANNAN)
JUDGE

March 09, 2015
Pankaj*