

CR-1342-2015 (O&M)

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

**CR-1342-2015 (O&M).
Decided on: April 6, 2015.**

M/s R.K.Exports and another

..... Petitioner(s)

Versus

Food Corporation of India and others

..... Respondent(s)

*** * ***

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

**PRESENT Mr.Karan Bhardwaj, Advocate,
for the petitioners.**

M.M.S. BEDI, J (ORAL)

The petitioners who are defendants before the trial Court have filed an application for de-exhibiting certain documents produced on record by the plaintiff-respondent. The trial Court vide impugned order dated 10.9.2014, has considered the objections regarding the admissibility and relevancy etc. of the documents and permitted the documents P9, P32, P33, P34 and P48 to be taken into evidence on payment of costs.

Counsel for the petitioner has submitted that the trial Court has committed an error in taking the above said documents on record.

With the assistance of the counsel for the petitioners, I have considered the nature of these documents. EX.P9 appears to be release order of rice to the defendant-petitioner firm;

CR-1342-2015 (O&M)

EX.P32 is official letter written by the office of the Assistant Commissioner of Customs Department to the Food Corporation of India; EX.P33 is a letter from the office of Deputy Commissioner of Customs (EP) to the Assistant Manager, Food Corporation of India pertaining to custom millings; and EX.P34 appears to be a calculation sheet prepared by the plaintiff-Food Corporation of India. EX.P48 also appears to be a letter written in ordinary course of business by Food Corporation of India to Dena Bank.

Counsel for the petitioners has submitted that the documents have been exhibited in a casual manner without determining the admissibility or relevancy of the same.

I have heard the learned counsel for the petitioners and gone through the documents and I am of the opinion that as per the provisions of Order 13 Rule 3 CPC, the Court has got powers at any stage of the suit to reject any document which it considers irrelevant or otherwise inadmissible after recording grounds of such objections. It will not be appropriate for this Court in the exercise of revisional jurisdiction to determine the admissibility, relevancy, mode of objection, reliability or authenticity of the documents in dispute. As observed in the interim order the suit is already eight years old. Instead of entering into the controversy regarding the admissibility and mode of proof of the documents, I deem it appropriate to dispose of this petition with an observation that the documents permitted to be exhibited vide order dated 10.9.2014 would be open for re-

CR-1342-2015 (O&M)

scrutiny at the time of final decision of the case by the Court. It will be open to the Court in the exercise of powers under Order 13 Rule 3 CPC, to reject or accept the admissibility, relevancy, mode of proof, reliability, authenticity or the existence/non-existence of the documents at final stage.

This petition is disposed of in above terms.

April 6, 2015.
rka

(M.M.S. BEDI)
JUDGE