

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

Date of decision:09.01.2015

Dilbagh Singh

.....Petitioner

v.

Davinder Kumar and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE JASWANT SINGH

Present:- Mr.Sarabjit Singh Sidhu,Advocate for the petitioner

Jaswant Singh,J.(Oral)

Defendant no.2 is in revision assailing the order dated 2.12.2014(P-1) passed by Additional Civil Judge (Senior Division) Fazilka whereby application of the plaintiff for leading secondary evidence qua documents/vouchers has been permitted.

Having heard learned counsel this Court finds no ground to interfere with the impugned order in exercise of revisional jurisdiction of this Court.

Respondent/plaintiff, who is a Commission Agent, has filed a suit for recovery of Rs.19,11,456/- on the basis of entries in the accounts books and transfer vouchers. Concededly the said documents were shown at the initial stage of the suit. Subsequently, an application was moved that certain documents have been lost and therefore, permission has been granted to lead secondary evidence. Said evidence to be led, no doubt, is subject to proof of execution, existence, loss and admissibility of evidence in accordance with law.

In view of the above,finding no merit in this revision petition the same is hereby dismissed.

09.01.2015
joshi

(Jaswant Singh)
Judge