

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

CR No. 1682 of 2015 (O&M)

Date of decision : 10.3.2015

Charan Singh

.. Petitioner

versus

Raj Rani

.. Respondent

Coram: Hon'ble Mr. Justice Rajesh Bindal

Present: Mr. Gurbir Singh Toor, Advocate, for the petitioner.

Rajesh Bindal, J.

Challenge in the present petition is to the order dated 19.2.2015 (Annexure P-1), passed by the learned Court below whereby the application filed by the petitioner-defendant for additional evidence was dismissed.

It is a case in which the respondent-plaintiff filed a suit for permanent injunction and further for possession of the property from the petitioner- defendant including the mesne profits.

The application for additional evidence was filed after the trial had already concluded and the case was fixed for rebuttal evidence, if any, and the arguments.

The plea set up by the petitioner was that he seeks to tender site plan in evidence from the officials of the Municipal Council, Barnala. However, the facts remain that the evidence which is sought to be produced as additional evidence is not such, which was not within the knowledge of the petitioner at the time he led his evidence. After conclusion of the trial, the petitioner cannot be permitted to fill in the lacuna left.

For the reasons mentioned above, the present petition is dismissed.

10.3.2015
vs

(Rajesh Bindal)
Judge