

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

CR No.2222 of 2011
Date of Decision : 31.7.2015

Market Committee, Amritsar

.....Petitioner

Versus

Jathedar Dharam Singh and another

.....Respondents

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

Present:- Mr. Sameer Sachdeva, Advocate, for the petitioner

Mr. Ajayvir Singh, Advocate, for the respondent

M.M.S. Bedi, J.

This is defendants' revision petition against order of dismissal of its application to de-exhibit photographs Ex.P-5 to P-19A on the ground that these have been tendered without negatives. Similar request for documents Ex.P-20 and P-21 i.e. driving licence, voter card and ration card of the plaintiff, has also been declined by observing that the genuineness of the documents is to be decided later on, on the basis of merits.

As per the proviso attached to Order 18 Rule 4 CPC, the trial Court can permit the filing of documents along with an affidavit subject to the proof and admissibility of the documents attached with them. Besides this, it is a principle of law that mere exhibition of documents will not dispense with the proof which is required under law to prove a document. The rights of the petitioner have been safeguarded. It is observed that exhibition of the documents mentioned in the application, would be subject

to the final decision of the case. It is always open to the defendant/petitioner to raise objection regarding the documents exhibited.

The objections will be open for determination at the final stage.

This revision petition is disposed of.

(M.M.S. BEDI)
JUDGE

31.7.2015

Ashwani