

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

**CR No.2182 of 2015 (O&M)
Decided on: March 27, 2015.**

Bhajan kaur @ Harbhajan Kaur

.... Petitioner

Versus

Harbhajan Singh and others

..... Respondents

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

Present: Mr. Gagandeep Singh Sirphikhi, Advocate,
for the petitioner.

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

This is defendant's revision petition challenging the validity of an order dated 11.03.2015 passed by the trial Court, after remand by the first Appellate Court, permitting the plaintiff-respondent No.1 to produce additional evidence in the shape of jamabandi on the record observing that these are essential and necessary for the just decision of the case as the revenue record sought to be produced is relevant.

Learned counsel for the petitioner submits that without examining the revenue record permitted to be taken on record, the trial Court has committed illegally in permitting the production of additional evidence in the shape of revenue record which pertains to different property.

I have heard learned counsel for the petitioner and I am of the opinion that the impugned order dated 11.03.2015 permitting the plaintiff-respondent No.1 to place on record additional evidence in the shape of revenue record is not a final order regarding the relevancy, admissibility and authenticity of the revenue record permitted to be taken on record as

additional evidence. The relevancy and admissibility is required to be finally determined after giving an opportunity to the defendant-petitioner to produce the rebuttal evidence in the shape of documents etc.

This petition is disposed of with a clarification that the order dated 11.03.2015 permitting additional evidence in the shape of revenue record, passed by the trial Court is without prejudice to the right of the defendant-petitioner or the other contesting defendants to produce the rebuttal evidence and to challenge the admissibility, relevancy and authenticity of the documents at the time of the final arguments.

Disposed of with above said observations.

(M.M.S. BEDI)
JUDGE

March 27, 2015
harsha