

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA AT
CHANDIGARH

C.R. No.2840 of 2015

Date of Decision.06.05.2015

Santosh Kumari and another

.....Petitioners

Versus

Kanta Rani @ Kanta Devi (since deceased) through LRs and others

.....Respondents

Present: Mr. M.S. Rattu, Advocate
for the petitioners.

CORAM:HON'BLE MR. JUSTICE K. KANNAN

1. Whether Reporters of local papers may be allowed to see the judgment ?
2. To be referred to the Reporters or not ?
3. Whether the judgment should be reported in the Digest?

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K. KANNAN J. (ORAL)

1. The petitioner has resorted to a procedure which is unnecessary in law and he has invited upon himself a needless adverse order. This Court held in several judgments in Atma Nand (deceased) through LR Vs.Ram Sarup (deceased) through his LRs 2012(1) PLR 440; S.P. Arora Vs. Satbir Singh 2010(5) RCR 530 and Simarpal Singh VS. Hakam Singh 2009(2) PLR 562 that it is unnecessary to file any application for reception of secondary evidence and it is sufficient if the petitioner makes out any one of the grounds mentioned under Section 65 of the Indian Evidence Act to tender secondary evidence. If such a document is filed, it is bound to be received by the Court and it will be open to the respondent to cross-examine the petitioner and elicit any factor which is stated in the petition to be not true. The rejection of the plea for reception of secondary evidence is erroneous and the order is set

aside. I dispense with notice to the respondent because the issue in question has been squarely covered by this Court through the judgments referred to above.

2. The revision petition is allowed.

(K. KANNAN)
JUDGE

May 06, 2015
Pankaj*