

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

CR No. 3043 of 2014 (O&M)

Date of decision: 14.12.2015

Balwinder Singh

... Petitioner

versus

M/s Parbhu Dyal - Babu Ram

.... Respondent

CORAM: HON'BLE MR. JUSTICE K. KANNAN

Present: Mr. Pardeep Sharma, Advocate for
 Mr. B.S. Makar, Advocate for the petitioner.
 Ms. Alisha Soni, Advocate for
 Mr. R.V. S. Chugh, Advocate for the respondent.

K.Kannan, J.

There is a plea for adjournment on behalf of the petitioner, I decline the same and proceed to dispose of the case on merits. Having regard to the fact that the order has been stayed, I wanted to examine how such an order can impact the course of trial in a case for recovery for money, the plaintiff has sought for permission to recalling himself and other witnesses to give additional evidence. The objection has been that, it was not clear from the petition whether the plaintiff wanted to give additional evidence or rebuttal evidence. The Court held that there is nothing to prevent the plaintiff from bringing on record account cash books, its translation and income tax return statement which would be relevant for adjudication in the case. It has, therefore, allowed for the permission sought for by the plaintiff to give additional evidence. The order is perfectly legal and the Court has exercised its discretion appropriately.

There is no reason to feel aggrieved and the defendant will have an additional liberty to give his own evidence after cross-

examination of the plaintiff's witnesses, if he chooses to do so.

With these observations, the order passed by the Court below is maintained and the revision petition is dismissed.

(K.KANNAN)
JUDGE

14.12 .2015

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