

CR-3456-2015 (O&M)

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

CR-3456-2015 (O&M).

Decided on: May 19, 2015.

Amrik Singh

..... Petitioner(s)

Versus

Baljit Singh and others

..... Respondent(s)

*** * ***

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

**PRESENT Ms.Sukhpreet Kaur, Advocate,
for the petitioner.**

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

This is plaintiff's revision petition against the dismissal of an application under Section 151 CPC, for placing on record certain documents by tendering the same. It is informed that the case is at penultimate stage of decision i.e., on rebuttal evidence stage.

Counsel for the petitioner submits that the documents which are sought to be tendered in evidence are either certified copies of the judgments, affidavits and certified copies of calendas etc.

The counsel for the petitioner submits that the Court in exercise of inherent powers under Section 151 CPC, could permit the production of documents even as additional evidence when permission is sought to produce documents.

I have heard the counsel for the petitioner carefully.

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Without expression of any opinion regarding the fact whether the documents sought to be produced are in the nature of affirmative evidence or rebuttal evidence, it is sufficient to observe that the documents which are found per se admissible according to Indian Evidence Act, may be permitted to be taken on record subject to their authenticity, admissibility, reliability and relevance.

This petition is disposed of in limine with a direction to the trial Court to reconsider the application and permit the documents to be taken on record by exhibiting or marking them subject to final decision of the case with liberty to the other party to produce any document to rebut the material produced. It is made clear that it will be the sole discretion of the trial Court to examine the document and permit the exhibition of the same in evidence. It will be open to the Court to discard any of the documents or mark any document and not to take the same for consideration as evidence as the plaintiff- petitioner appears to be negligent in producing the documents at appropriate stage.

As this petition is disposed of in limine to save the unnecessary expenses and time. It will be open to the defendants-respondents to approach this Court for review of the order if the same is not acceptable to them.

The order be uploaded on the net forthwith.

May 19, 2015.
rka

(M.M.S. BEDI)
JUDGE