

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

C.R. No.3506 of 2015 (O&M)

Date of Decision.21.05.2015

Yogesh Kumar

.....Petitioner

Versus

Rudramani Walia and others

.....Respondents

Present: Mr. Amit Jhanji, Advocate
for the petitioner.

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. It is a frivolous plea on the part of the tenant to contend that when he asked the landlord to produce a document and the Court dismissed it, the tenant would be prejudiced by such course. A sale deed, which is executed and entered in book-I under the Registration Act, is a public document in terms of Section 76 of the Indian Evidence Act and if the landlord is not producing the same, it is possible for the tenant to obtain registered copy from the Registrar's office and tender it as a document on his side. The justification for the production of the secondary evidence is obvious that the original which ought to be in the hands of other side is not produced in spite of notice and therefore, Section 65 of the Evidence Act allows for production of secondary evidence. The petitioner cannot be aggrieved by an order declining to cause the production of the document. The petitioner has other remedies open for him to have the document exhibited in the manner he

wants to do.

2. There can be no grievance that the petitioner can advance before this Court for assailing the order. The revision petition is dismissed with the above observation.

(K. KANNAN)
JUDGE

May 21, 2015
Pankaj*