

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

C.R. No.3509 of 2015

Date of Decision.21.05.2015

Sinder Pal

.....Petitioner

Versus

Madan Lal

.....Respondent

Present: Mr. Rajan Bansal, 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. There is no purpose in making an intervention for a pure aspect of evidence which is possible for party to bring even with reference to pleadings. Order 6 Rule 2 CPC enacts the rule of procedure that matter of evidence need not be pleaded. If the defendant's attempt is to show that the plaintiff has filed other cases for specific performance against persons and there are also criminal complaints as regards the same, it is the matter that can be confronted in the cross-examination. If there are institution of suits and criminal complaints, it will be open for the defendant to file certified copies of the plaints which are filed and the copies of complaints, both of which are public records of which he can obtain copies. The order declining to bring an amendment after the commencement of the trial in the light of Order 6 Rule 17 CPC amended provisions cannot be subject of intervention unless there is patent error which causes serious prejudice. I find no

serious prejudice caused to the defendant. It will be open for him to bring several aspects of previous institution of suits in the course of his evidence even without pleadings.

2. With these observations, the revision petition is disposed of.

**(K. KANNAN)**  
**JUDGE**

**May 21, 2015**  
**Pankaj\***