

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

C.R. No.4526 of 2015

Date of Decision.22.07.2015

Karan Sareen

.....Petitioner

Versus

Vinay Kumar and others

.....Respondents

Present: Mr. Manjeet Singh, 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. A question which was confronted to the defendant in the cross-examination was to elicit a fact that the defendant was available on a particular day at a particular place which he denied. The relevancy of such a question was that he was denying the execution of the document in favour of the plaintiff's father on the ground that he was not available at that place. When this question was denied in the cross-examination, the plaintiff wants to let in evidence of existence of a document on the same day which the defendant was falsely denying. The opportunity to let in such an evidence is denied by the trial Court and therefore, the revision has been filed. There was yet another prayer for reception of a document of power of attorney in respect of the same property earlier to the point of view of the document which is the subject of issue before the Court below. If the fact of presence of the defendant at a particular place is relevant for consideration of the

genuineness of the document, any document that secures proof of such a fact will also be relevant. I will give the plaintiff such an opportunity to let in evidence. Having regard to the limited scope of enquiry that does not go into the merits of the case itself and with further regard to the fact that any notice for disposal will consume a longer time for no valid purpose, I dispense with notice to the respondents and pass an order setting aside the order already passed and giving a right to the plaintiff to secure production of the document on which he wants to place his reliance and tender such proof of the document which he thinks as appropriate. Needless to state that the defendant will have the right of cross-examination on the document which is sought to be produced.

2. The revision petition is allowed to the above extent. I give liberty to the respondents to approach this court if any particular fact which is very material has not been brought before this order is passed and any fact has been suppressed which, according to the respondents, was very material.

(K. KANNAN)
JUDGE

July 22, 2015
Pankaj*