

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CR No.467 of 2015

Date of Decision:-21.01.2015

Ajaib Singh & Anr.

.....Petitioners.

Versus

Ravinder Kaur & Anr.

.....Respondents.

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Mr. Rajan Bansal, Advocate for the Petitioners.

JASWANT SINGH, J.(ORAL)

Plaintiffs are in revision aggrieved by the order dated 26.11.2014 (P-7) passed by the learned Civil Judge(Jr. Divn.), Bhatinda whereby his application for leading additional evidence at the stage of rebuttal arguments has been dismissed.

Learned Counsel for the petitioner has vehemently argued that the learned trial Court below ought to have allowed the impugned application. His material rights are involved in the present case and without leading the said documents in evidence, the suit of the plaintiff would be in jeopardy.

After hearing learned Counsel for the petitioners and perusing the paper book, this Court is of the considered view the present petition is devoid of any merit and same deserves to be dismissed.

A perusal of the record reveals that the plaintiff has filed a suit

for possession by way of specific performance whereby he had stated that on the date for the execution of the sale deed he was present throughout the day before the office of Sub Registrar. By way of present application, plaintiff intends to lead evidence to the effect that he was present in the office of HOUSEFED and not before the office of Sub Registrar. The said plea itself is contradictory in nature and would be governed by the principle of evidence being led beyond pleadings. It is settled position of law that no evidence can be led beyond the pleadings of the parties.

In view of the above, finding no merit in the present revision petition, the same is hereby dismissed.

(JASWANT SINGH)
JUDGE

January 21, 2015
Vinay