

107

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

CR No.4701 of 2015

Date of decision: July 28, 2015

Raj Kumar

.....Petitioner

Versus

Digvijay Singh and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. Ravi Sharma, Advocate
for the petitioner.

SABINA, J

Petitioner has filed this petition challenging the order dated 07.07.2015, whereby, application moved by the petitioner for permission to lead additional evidence, was dismissed.

Learned counsel for the petitioner has submitted that signatures of the petitioner on application for restoration of partition proceedings were forged.

Petitioner has filed suit for declaration and has claimed the relief of joint possession. When the case was listed for rebuttal evidence of the petitioner, if any and arguments, petitioner moved an application for permission to lead additional evidence. By way of additional evidence, petitioner wants to establish that the application for restoration of partition proceedings was not signed by him and the signatures on the said application had been forged.

The application for restoration of partition proceedings was later dismissed-in-default on 16.01.2007. The learned trial Court while dismissing the application has held that the petitioner himself had admitted the fact that the application was moved by him for restoration of partition proceedings. Moreover, it has been noticed by the trial Court that as per the order of Assistant Collector, Grade-I on application for restoration dated 18.02.2007, the same had been presented by applicant Raj Kumar himself along with his counsel. In the facts and circumstances of the present case, the learned trial Court had rightly dismissed the application moved by the petitioner for permission to lead additional evidence.

No ground for interference by this Court is made out.

Dismissed.

**(SABINA)
JUDGE**

July 28, 2015

mahavir