

CR No.4814 of 2014

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR No.4814 of 2014.
Decided on:-20.1.2015.

Surjit Kaur.

.....Petitioner.

Versus

Gurdev Singh and others

.....Respondents.

CORAM: HON'BLE MR. JUSTICE DR. BHARAT BHUSHAN PARSOON.

Present:- Mr. K.S. Sidhu, Advocate
for the petitioner.

Dr. Bharat Bhushan Parsoon, J (Oral)

Counsel for the petitioner, impugning order dated 28.5.2014 of the lower court whereby additional evidence for production of birth certificate of Smt. Surjit Kaur and death certificate of Smt. Dhan Kaur has been refused, urges that these documents which already exist, could not be produced as these were not made available by the appropriate authorities where application was moved for obtaining the same. It is claimed that now since these documents have become available and are necessary for adjudication of the matter in controversy more competently and effectively, the petitioner may be allowed to produce these documents.

2. No notice to the opposite side is being issued to avoid delay and further because no prejudice would be caused to the other party.

3. Notwithstanding the fact that evidence of the petitioner was

CR No.4814 of 2014

closed by orders of the court but these documents are necessary for adjudication of the matter in controversy and being not manipulated, are allowed to be produced in evidence.

4. Sequelly, setting aside impugned order dated 28.5.2014, this petition is accepted and the application (Annexure P-2) for production of aforementioned documents is allowed subject to payment of costs of Rs.10,000/- to be paid to the opposite side. It is, however, made clear that only one opportunity shall be given by the lower court for production of said documents.

(Dr. Bharat Bhushan Parsoon)
Judge

January 20, 2015

'Yag Dutt'

1. Whether Reporters of local papers may be allowed to see the judgment? Yes
2. Whether to be referred to the Reporters or not? Yes
3. Whether the judgment should be reported in the Digest? Yes