

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

CR No. 5827 of 2013 (O&M)
Date of decision: March 9, 2015

Hassim

...Petitioner

Versus

Anil Saini and another

...Respondents

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?

Present: Mr. Rajesh Bansal, Advocate,
for the petitioner.

Mr. Yogesh Chaudhary, Advocate,
for respondent No.1.

Mr. Vishal Malik, Advocate,
for respondent No.2.

K. KANNAN, J. (Oral)

1. The revision petition is against an order rejecting a prayer for allowing the plaintiff's to lead additional evidence to be given after his side was closed. The reason for rejection of the plea was the additional evidence cannot be in the matter of rebuttal but in the nature of affirmative evidence. This court in Santosh Kumar Berry Versus Nirmala Devi and others (2013) 1 PLR 404 has laid down the procedure to be followed in such type of situations. The trial court shall do well to apprise himself of the law stated by this court in Santosh Kumar Berry's case (supra).

2. The impugned order is set aside and the petitioner shall pay Rs. 5,000/- as costs to the respondents within two weeks from the date of

receipt of a copy of this order and avail to himself such opportunity as the trial court grants for allowing him additional evidence. If a witness is required to be summoned, the court shall issue dasti summons to the petitioner, who shall secure the presence of the witness at his own risk. However, if the amount is not paid, as directed, the order passed already by the trial court shall stand affirmed.

3. The revision petition is disposed of with the above observation.

March 9, 2015
prem

(K.KANNAN)
JUDGE