

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR No. 5944 of 2014 (O&M)
Date of decision: 23.03.2015

Lal Chand

... Petitioner

versus

Shakuntla and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE K. KANNAN

Present: Mr. S.K. Yadav, Advocate for the petitioner.

Mr. Mukesh Yadav, Advocate,
for respondent Nos.1, 2, 5 and 7.

Respondent Nos. 9, 10 and 11,
Service dispensed with.

K.Kannan, J.

As per office report, respondent No.6 is reported to have died. Learned counsel for the petitioner states that other respondents are sufficient to represent their estate. The fact of death is recorded.

The plaintiff sought for an additional evidence to be placed on record making reference to original passbook in respect of which a copy had already been filed and assigned Mark P1. The witness was also examined. The petitioner seeks for permission to file the original and would state that he would not hold up any trial and the document will only required to be received.

Learned counsel for the respondent states that the document does not refer to any plot numbers nor does it advance the case of the plaintiff with any credible value. The defendant may put these suggestions about unworthiness of the documents to the witness and elicit such respondents as are appropriate. I do not think that any

prejudice will be caused by the reception of the documents. For the indiscretion of the petitioner in not filing the document which are claimed to be relevant at that time and for the delay caused and the expenses made to be incurred by the respondent, I impose costs of ₹5,000/- against the petitioner, which shall be paid to the respondent, within a week after the receipt of the copy of the order.

The impugned order is set aside and the civil revision petition is allowed with above observations.

(K.KANNAN)
JUDGE

23.03.2015

kv