

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

Civil Revision No.6061 of 2012

Date of decision:26.03.2015

Avtar Singh

... Petitioner

versus

Gurmail Singh and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE K. KANNAN

Present: Mrs. Sushma Chopra, Advocate,
 for the petitioner.

Mr. Arun Nehra, Advocate,
for the respondents.

K.Kannan, J. (*Oral*)

1. The petition for reception of additional evidence was filed after the plaintiff's side was closed by the plaintiff as early as in 2005, the defendant had also examined himself and closed and it was posted for rebuttal evidence and for arguments. At that stage, an application for reception of additional evidence was filed. It is a boundary dispute between the plaintiff and the defendant and the plaintiff was, therefore, attempting to produce demarcation reports, one filed in another case and yet another a demarcation report which was carried out at the time of four-laning project carried out by the highway authorities. I am of the view that the demarcation report will surely have a bearing where there is a boundary dispute and for

the sheer indiscretion of the party to have stalled the proceedings by this application and cause a further delay, I impose a cost of ₹15,000/- against the petitioner as a condition precedent for the additional evidence to be brought on record. The order passed already is set aside on condition that the amount is paid within 2 weeks from the date of receipt of copy of this order, failing which, the order already passed shall stand restored. Needless to state that if the document is brought and the defendant wants to let in evidence to contradict any of the evidence brought, the defendant will be permitted to let in such evidence.

2. With these observations, the civil revision is disposed of.

(K.KANNAN)
JUDGE

26.03.2015
sanjeev