

In the High Court of Punjab and Haryana at Chandigarh

CR No.6710 of 2013

Date of decision: 06.07.2015

Ranjit Singh

.....Petitioner

Versus

Boota Singh

.....Respondent

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr.A.K.Khunger, Advocate
for the petitioner.

Mr.D.S.Khurana, Advocate
for the respondent.

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SABINA, J

Petitioner has filed this petition under Article 227 of the Constitution of India challenging the order dated 16.10.2013 (Annexure P3) whereby application moved by the petitioner for permission to lead additional evidence, was dismissed.

I have heard the learned counsel for the parties and have gone through the record available on the file carefully.

Petitioner has filed the suit for recovery. When the case was listed before the trial Court for rebuttal evidence of the petitioner, he moved an application for permission to tender statement of Account of Basant Kaur. Learned trial Court rightly dismissed the said application as Basant Kaur was a stranger to the lis between the parties. The suit had been filed by the petitioner for recovery on the basis of cheque dated 11.7.2007 issued by the defendant in his

favour. It has been noticed by the trial Court that it was not the case of the petitioner that he had advanced loan to the defendant by way of cheque. Hence, learned trial Court rightly came to the conclusion that the statement of Account of Basant Kaur was not relevant for the purposes of the decision of the lis between the parties. No ground for interference by this Court is made out.

Dismissed.

**(SABINA)
JUDGE**

July 06,2015
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