

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

**Civil Revision No.6920 of 2012
Date of Decision: August 27, 2015**

Narinder Pal Sharma

.... Petitioner

vs.

Vikas Kumar

.... Respondent

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present: Mr. Namit Gautam, Advocate for the petitioner.

None for the respondent.

- 1. Whether Reporters of Local Newspapers 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?*

Kuldip Singh J.(Oral)

Impugned in the present revision petition is the order dated 22.10.2012 passed by learned Civil Judge (Jr. Divn.), Faridkot, vide which the application of the present petitioner, who is plaintiff before the lower court, to examine the expert and produce documents in additional evidence was dismissed.

At the motion stage, the prayer for examination of the expert was not pressed and the same was declined. However, the prayer for production of the documents was pressed.

The history of the case shows that the suit for possession under the Specific Relief Act, 1963 was filed way back in the year 2004. After 8 years in the year 2012, when the case was ripe and was fixed for rebuttal evidence, the plaintiff has filed the present application vide which he wants to produce a number of documents

pertaining to some previous litigation between the parties. He wants to produce the copy of the ejectment application dated 24.07.2005 titled as Jonny Kumar vs Vikas Kumar (defendant in the present suit), certified copy of the orders dated 30.04.2005 and 30.08.2005 passed by the Rent Controller, Moga, certified copies of the statements of Vikas Kumar and Jonny Kumar before the Lok Adalat, certified copy of the execution application in the said case, certified copy of the order dated 29.11.2005 passed in the execution application, certified copy of the application dated 10.02.2006 filed by Jonny Kumar in the execution application, certified copy of the statement dated 11.02.2006 of Jonny Kumar recorded in the Lok Adalat and certified copy of the order dated 11.02.2006 passed by the Lok Adalat.

I am of the view that all these documents were within the knowledge of the plaintiff at earlier stage when he was leading his evidence. The lower court has observed that it is not shown as to how these documents are relevant for the disposal of the present suit. The statements made by Jonny Kumar and Vikas Kumar were not put to the defendants when they appeared in the witness box. It is not shown how the copies of the orders of the Rent Controller and executing court are relevant to the controversy.

In fact, it appears that by producing a large number of documents, the plaintiff wants to reopen the case as the other party will also seek opportunity to lead evidence. The case has now become 11 years old. It is a suit for possession under Section 6 of the Specific Relief Act, which is required to be decided expeditiously.

Therefore, there is no ground to allow the plaintiff-petitioner to lead additional evidence.

Accordingly, the present revision petition stands dismissed.

August 27, 2015
sarita

(KULDIP SINGH)
JUDGE