

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

**CR No.7574 of 2015 (O&M)
Date of decision: 11.12.2015**

Bhupender Singh

....Petitioner

Versus

Smt. Vidya Devi and another

....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Jasbir Mor, Advocate
for the petitioner.

RITU BAHRI J. (Oral)

CM NO.26353-CII of 2015

For the grounds mentioned in the application, the same is allowed and the order dated 11.08.2014, passed by Civil Judge (Junior Division), Hisar, is taken on record as Annexure P-8.

MAIN CASE

The petitioner has come up in revision for quashing of the impugned order dated 12.10.2015 (Annexure P-5), passed by Additional Civil Judge (Sr. Division), Hisar.

The petitioner-defendant No.1 was required to lead his evidence whether the Will dated 16.10.2012, was forged and fabricated. Learned counsel for the petitioner-defendant No.1 has stated that the Will dated 16.10.2012, was executed by deceased-

Bharat Singh son of Nanu Ram. At the stage of rebuttal evidence and arguments, the plaintiff was permitted to place on record the certified copies of the statements made by the father in the criminal trial. The application for leading additional evidence has been declined on the ground that he had sufficient opportunities to lead his evidence on Issue No.1 and thus, he cannot be allowed to lead additional evidence. The plaintiff had placed on record the documents of the criminal court bearing signature of the testator. The testator was father of the petitioner-defendant No.1 and the application has rightly been rejected by the trial Court.

No ground for interference is made out.

Dismissed.

(RITU BAHRI)
JUDGE

11.12.2015

yakub