

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

**CR No.7594 of 2015 (O&M)
Date of decision: 16.11.2015**

Ram Niwas and others

...Petitioners

versus

Smt. Savtri

...Respondent

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Parduman Yadav, Advocate,
for the petitioners.

RITU BAHRI, J.

Challenge in this petition is to the order dated 20.10.2015 passed by the Civil Judge (Junior Division), Gurgaon, whereby application filed by the plaintiff-respondent for leading additional evidence has been allowed.

By way of additional evidence, the plaintiff-respondent wants to prove/tender certified copies of statements of Ram Niwas (DW-5) and Hem Raj Khatana (DW-2), who were examined in another civil suit which was pending before the Court of Sh. Vivek Chaudhary, Civil Judge, Gurgaon. Both these witnesses had made statements in civil suit titled as 'Smt. Savitri Devi Vs. Ram Niwas etc.' and their statements are contrary in both the suits.

After going through the impugned order, this Court is of the view that the trial Court has rightly allowed the application of the plaintiff-respondent by relying upon the judgment delivered in **Manmohan Singh Vs.**

Davinder Kaur @ Mohinder Kaur, 2015 (1) LJR, 40 (P&H). Moreover, the

statements made in the earlier suit were essential for proper adjudication of

the case.

No ground is made out to interfere in the impugned order.

Dismissed.

16.11.2015
ajp

(RITU BAHRI)
JUDGE