

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

CR No.7691 of 2014 (O&M)

Date of decision: 03.08.2015

Rajwinder Singh

... Petitioner

versus

Balwinder Singh

.... Respondent

CORAM: HON'BLE MR. JUSTICE K. KANNAN

Present: Mr. I.S. Dhaliwal, Advocate for the petitioner.

K.Kannan, J.

The plaintiff is aggrieved that the plaintiff had not been given opportunity to produce the evidence of Chartered Accountant with records. The Court has found that the evidence must have been brought in the affirmative and could not be done at the stage of rebuttal.

Though, I do not find any error in the order but I still think it appropriate that one more opportunity particularly in view of the fact the respondent stand served but had not enter any objections.

The impugned order is set aside with the condition that the petitioner pays Rs. 15,000/- cost to the respondent as a condition precedent to being granted the permission to let in additional evidence. The defendant will also have a right of rebuttal of this evidence if he so chooses.

The revision petition is allowed on the above terms. The trial

Judge shall ensure that the amount directed is paid to the defendant before he is permitted to place the evidence through this order.

(K.KANNAN)
JUDGE

03.08.2015

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