

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

**CR No.8057 of 2015
Date of decision: 01.12.2015**

Punjab Wakf Board

....Petitioner

Versus

Samana Badminton Club and others

....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Ghulam Nabi Malik, Advocate
for the petitioner.

RITU BAHRI J. (Oral)

The petitioner has come up in revision for setting-aside the order dated 30.10.2015, passed by Civil Judge (Jr. Division), Samana, whereby the application filed by the plaintiff/petitioner for proving on record the site plan by way of leading additional evidence has been dismissed.

Learned counsel for the petitioner informed the Court that after the impugned order dated 30.10.2015, the defendant did not lead any evidence and their evidence has been closed. Learned counsel for the petitioner further placed reliance on the judgment ***“K.K. Velusamy vs N. Palanisamy”*, 2011(2) Civil Court Cases 823 (SC)**, in which it has been held that the main object of Order

18 Rule 17 CPC is to allow the application for leading additional evidence so as to assist the Court to clarify the evidence on the issues and also assist in rendering justice.

The site plan which has been placed on record by the plaintiff is part of the application sent by the defendants for getting the property on lease from the Punjab Wakf Board.

So, keeping in view the above facts and circumstances, the present revision petition is allowed. The order dated 30.10.2015, passed by Civil Judge (Jr. Division), Samana, is hereby set-aside and the site plan tendered with the application made by the defendants shall be proved by the plaintiff by leading additional evidence in accordance with law.

(RITU BAHRI)
JUDGE

01.12.2015
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