

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

C. R No. 8226 of 2015 (O&M)

Date of decision : 04.12.2015

Kirpal Kaur

...Petitioner

versus

Harjit Singh and others

...Respondents

**CORAM: HON'BLE MS. JUSTICE RITU BAHRI**

**Present:** Mr. M.S. Uppal, Advocate  
for the petitioner

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**RITU BAHRI , J. (Oral)**

Challenge in this petition is to order dated 17.11.2015 passed by learned Civil Judge (Jr. Divn.), Budhlada, Distt. Mansa whereby application filed by defendant Nos. 1 and 2 for leading secondary evidence, has been allowed.

Learned counsel for the petitioner has informed the Court that during the pendency of the suit of permanent injunction, an application was filed by the petitioner under Order 39 Rule 2A CPC for violation of order of status quo, as the respondents break open the locks of the house in question. This application was dismissed by the Court below. So, the application which was now made by the

defendants to produce additional evidence, has been wrongly allowed by the Court below, as this has been made at a belated stage.

However, vide impugned order dated 17.11.2015, the learned Civil Judge had very rightly concluded that the evidence sought to be led by the defendants by way of additional evidence are the part of judicial proceedings i.e statements recorded in proceedings under Order 39 Rule 2A CPC.

In view of the above, the petition stands dismissed.

04.12.2015

**G Arora**

**(RITU BAHRI)**

**JUDGE**