

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

CR No.8583 of 2015

Date of Decision: December 18, 2015

Khushpreet Singh

.... Petitioner

vs.

Surinder Kaur

.... Respondent

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present: Mr. Vishal Aggarwal, Advocate for the petitioner.

1. *Whether Reporters of Local Newspapers may be allowed to see the judgment?*
2. *To be referred to the Reporters or not?*
3. *Whether the judgment should be reported in the Digest?*

Kuldip Singh J.(Oral)

Impugned in the present revision petition is the order dated 09.12.2015 (Annexure P-5) passed by learned Civil Judge (Jr. Divn.), Ludhiana, vide which the application of the plaintiff-petitioner to lead evidence to rebut the evidence of the defendant by examining the handwriting and finger print expert and other witnesses was dismissed.

I have heard learned counsel for the petitioner and have also carefully gone through the case file.

It comes out that in this case, the plaintiff led the affirmative evidence. Thereafter, defendant also led his evidence. Now, the plaintiff wants to rebut the evidence of the defendant. There was no issue on which, the plaintiff could be allowed to lead rebuttal evidence. Therefore, there is no error in the impugned order.

Before this Court, a ground is sought to be pressed, which was not mentioned in the application, by stating that the original agreement to sell was not traceable. Now, the notarized photocopy of the same has been traced out and for that purpose, the handwriting and finger prints expert as well as the other witnesses are to be examined. Since, this plea was not raised before the court of first instance, therefore, the same cannot be allowed to be raised before this Court for the first time.

Accordingly, the present revision petition stands dismissed.

December 18, 2015
sarita

(KULDIP SINGH)
JUDGE