

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA AT
CHANDIGARH

C.R. No.1272 of 2013

Date of Decision.07.01.2016

Ram Chander

.....Petitioner

Vs.

Bhim Singh and others

.....Respondents

2. C.R. No.864 of 2013

Ram Chander

.....Petitioner

Vs.

Bhim Singh and another

.....Respondents

Present: Mr. Suryakant Gautam, Advocate
for the petitioner.

Mr. Arun Kumar Singal, Advocate
for the respondents.

CORAM:HON'BLE MR. JUSTICE K. KANNAN

1. Whether Reporters of local papers 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?

-.-

K. KANNAN J. (ORAL)

1. Both the revision petitions are connected and they raise the same legal issue. The application for reception of additional evidence has been dismissed. The order would require to be set aside for the simple reason that if a ground is made by a person tendering secondary evidence that the original is not available with him, the Court is bound to receive the same and allow benefit of cross-examination to the other side to point out that none of the grounds as mentioned under Section 65 of the Indian Evidence Act is made out. The mere reception of document

ought not to be taken as proof of the document or admission of its relevance. It will be a matter of consideration of the trial Court and the Court will not fetter itself from even reception of the document. The Court will consider the genuineness in the light of the objections taken by the respondent and deal with it among other issues at the time of disposal of the cases through its judgment.

2. The impugned orders are set aside and the revision petitions are allowed on the above terms.

(K. KANNAN)
JUDGE

January 07, 2016
Pankaj*