

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

Civil Revision No.5856 of 2016 (O&M)

Date of Decision: 24.09.2016

STATE BANK OF PATIALA AND ORS Petitioners

Vs

SEWAK KUMAR AND ORS Respondents

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present:Mr. H.N. Mehtani, Advocate
for the petitioners.

Mr. B.D. Sharma, Advocate
for respondent No.1.

RAJ MOHAN SINGH, J. (Oral)

[1]. Petitioners seek to assail the order dated 02.07.2016 (Annexure P-7) vide which application under Order 11 Rules 12 and 14 read with Section 151 CPC was allowed by the Civil Judge (Jr. Divn.) Phul and defendants were directed to produce the documents.

[2]. Plaintiff/respondent No.1 sought production of documents from the defendants which were in possession and power of defendant No.2. Documents mentioned at serial nos.8 to 11 were stated to be in power and possession of defendant No.3. These documents were pleaded to be very material for effective adjudication of the suit. It was also claimed that the production of these documents would cut short the lengthy procedure of evidence and help in speedy conclusion of the

trial.

[3]. The application was not replied despite number of opportunities granted to the defendants/Bank. In the intervening period, on seeing the application for production of documents, defendants/Bank ventured to file application under Order 7 Rule 11 read with Section 151 CPC for rejection of the plaint on the ground that the suit itself has become infructuous. Vide order of even date, the Civil Revision No.5857 of 2016 filed against rejection of the aforesaid application, has been dismissed by this Court.

[4]. In the absence of any reply to counter the claim of the plaintiff/respondents, this Court is not in position to appreciate the contention of learned counsel for the petitioners. In any case, no prejudice will be caused to the Bank in case required documents are produced for inspection of the plaintiffs.

[5]. Considering the facts and circumstances of this case, this Court does not find any illegality or error of jurisdiction in the order passed by the trial Court. Resultantly, this revision petition is dismissed.

September 24, 2016

(RAJ MOHAN SINGH)
JUDGE

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Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No