

241.

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

Civil Revision No.6652 of 2015 (O&M)

Date of decision:10.03.2016

Rajender

.... Petitioner

versus

Chote Lal and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE K. KANNAN

Present: Mr. Abhishek Yadav, Advocate,
for the petitioner.

Mr.Vijay Sharma, Advocate,
for the LR's of respondent No.1.

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. Respondents 2, 4 and 5 served through brothers. Service deemed sufficient. 3rd respondent duly served. None appears. 1st respondent is reported to have died but the representation is comprehensive through the presence of legal representatives of 1st respondent through counsel.

2. Revision petition is against the rejection of a plea for additional evidence. The additional documents were certified copies of jamabandi, girdwar and mutation as well as a site plan said to

have been drawn on 07.08.1999. Public documents are admissible for proof of what they recite under Section 77 of the Evidence Act. If there is an indiscretion on the part of the plaintiff in not filing the plaint, the plaintiff will pay the cost of such indiscretion that I assess at ₹10,000/-. One document is a site plan which according to the respondent is not duly authenticated. The plaintiff will have the benefit of adducing such proof as it is necessary. The additional evidence will be brought after the defendant's side is complete and if the plaintiff has the benefit of additional evidence, needless to state the respondent will have an opportunity to rebut the proof of what the additional evidence purports to give.

3. The impugned order is set aside and the revision petition is allowed but subject to the terms as above.

(K.KANNAN)
JUDGE

10.03.2016
sanjeev