

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

Civil Revision No.6856 of 2016
Date of decision: October 25, 2016

Nirmla ...Petitioner

Versus

Usha and others ...Respondent

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Abhimanyu Singh, Advocate for the petitioner.

Rajan Gupta, J.

Present revision petition is directed against the order dated 8.9.2016, passed by the trial court, whereby application for leading additional evidence in the shape of bank statement, filed by petitioner/defendant No.2, has been rejected.

Learned counsel for the petitioner has assailed the order. He submits that approach of the trial court is erroneous and against law. The document sought to be produced by way of additional evidence is very essential and necessary for the proper adjudication of the suit.

I have heard learned counsel for the petitioner and given careful thought to the facts of the case.

It appears that a suit for declaration and permanent injunction was filed by the respondent/plaintiff against the petitioner claiming her share in the ancestral property and declaring sale deed No.658 dated 2.6.2011 as illegal, null and void, and also for restraining

defendants from dispossessing the plaintiffs from alienating the suit land. At the stage of final arguments, petitioner filed instant application for additional evidence seeking production of some bank statement. A perusal of the order shows that twelve effective opportunities were granted to the petitioner to lead her evidence and same was ultimately closed. She had failed to produce the said document at appropriate stage and reason for non-production of the same earlier, has not been explained. It is evident that petitioner now wants to fill up lacunae of her case. I find no infirmity with the order. Besides, counsel for the petitioner has not been able to show any relevance of the document sought to be produced. Revision petition is without any merit and is hereby dismissed.

(RAJAN GUPTA)
JUDGE

October 25, 2016
'Rajpal'

Whether speaking / reasoned

Yes / No

Whether Reportable:

Yes / No