

**CM No. 69-CII of 2016 in/and
CR No. 7014 of 2014 (O&M)**

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IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH
CM No. 69-CII of 2016 in/and
CR No. 7014 of 2014 (O&M)
Date of decision : February 23, 2016

Malkiat Singh and others

..... Petitioners

Versus

Jhujhar Singh and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present:- None.

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?

Amit Rawal, J (oral).
CM No. 69-CII of 2016

For the reasons stated in the application, application
is allowed.

The petition is restored back to its original number.

CR No. 7014 of 2014 (O&M)

The challenge in the present petition is to the
impugned order dated 9.9.2014 whereby the application moved on
behalf of the plaintiff for producing additional evidence has been
dismissed.

It has been submitted that plaintiff purchased a land

**CM No. 69-CII of 2016 in/and
CR No. 7014 of 2014 (O&M)**

measuring 6 Kanals 5 Marlas in an open auction conducted by Court below and in this regard, mutation No. 217 was sanctioned in favour of Puran Singh. There was dispute between Gurmail Singh and Sohan Singh who was the mortgagee of the suit land. In this regard, civil suit filed by Gurmail Singh against Puran Singh was dismissed and appeal filed against the same was also dismissed. The plaintiff cannot produce copy of earlier judgment despite due diligence, therefore, it is submitted that production of the document is very much essential for adjudication of the suit.

I have gone through the grounds of revision. There is no merit in the aforementioned submissions as the application for additional evidence was filed at the stage when the case was listed for rebuttal evidence. The said document was not relied in the plaint., in essence, the additional evidence sought to be brought on record is beyond pleadings.

In view of the above, I am of the view that the court below has rightly declined the application. I do not find any illegality and perversity in the impugned order and the same cannot be said to have been passed without jurisdiction.

The revision petition is devoid of merits. Accordingly the same is dismissed.

**(AMIT RAWAL)
JUDGE**

**February 23, 2016
archana**