

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

Civil Revision No.7315 of 2016
Date of decision: October 27, 2016

M/s Garg Enterprises ...Petitioner

Versus

M/s Navjyoti Pumps Pvt. Ltd. ...Respondent

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Vivek Goyal, Advocate for the petitioner.

Rajan Gupta, J.

Present revision petition is directed against the order dated 05.10.2016, passed by the trial court, whereby application for leading additional evidence in the shape of copies of order/judgment alongwith resolution passed in the meeting of Board of Directors and list of Directors, has been allowed.

Learned counsel for the petitioner has assailed the order. He submits that approach of the trial court is erroneous and against law, as respondent by filing the instant applicant, wants to fill up the lacuna in the case, which is not permissible at this stage.

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

It appears that a suit for recovery was filed by the plaintiff/respondent M/s Navjyoti Pumps Pvt. Ltd. against the petitioner i.e. M/s Garg Enterprises. When case was at the stage of rebuttal evidence,

instant application was moved by the plaintiff for tendering certified copies of order/judgment alongwith a copy of resolution passed in the meeting of Board of Directors alongwith a list of Directors. Same was allowed by the trial court. Aggrieved, petitioner has filed the present petition. I am of the considered view that the documents including resolution of Board of Directors, sought to be produced by the plaintiff by way of additional evidence, were necessary for proper adjudication of the matter. So, the court below has rightly permitted the plaintiff to tender the said documents by way of additional evidence. I find no infirmity with the order. Besides, counsel for the petitioner has not been able to show that documents, sought to be produced by the plaintiff, were not necessary. Revision petition is without any merit and is hereby dismissed.

(RAJAN GUPTA)
JUDGE

October 27, 2016
'Rajpal'