

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

CR No.988 of 2016

Date of decision: 10.02.2016

Parminderjit Singh and another

..... Petitioners.

Versus

Surinder Singh and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE DARSHAN SINGH

Present: Mr.Bhrigu Dutt Sharma, Advocate
for the petitioners.

DARSHAN SINGH, J. (Oral)

The present civil revision petition under Article 227 of the Constitution of India has been preferred against the order dated 22.01.2016 passed by the learned Civil Judge (Jr. Division), Jalandhar, vide which the application filed by the defendants-respondents to place on record the site plan Ex.D-4 has been allowed at a belated stage.

2. Learned counsel for the petitioners contended that the impugned order has resulted in a serious prejudice to the petitioners-plaintiffs. The plaintiff has already produced the site plan of the suit property on record, which was not

challenged by the defendants. Now, defendants-respondents have been allowed to produce their site plan Ex.D-4. He contended that the petitioners shall have no opportunity to rebut that document. He further contended that the site plan was not admissible in evidence that is why it was not allowed to be produced earlier.

3. I have duly considered the aforesaid contentions and have carefully gone through the paper book.

4. I do not find any substance in the contentions raised by learned counsel for the petitioners. Defendants-respondents have moved the application before the learned trial Court for seeking permission to produce their site plan. It has been categorically mentioned in the application that the said site plan could not be produced earlier inadvertently when Surinder Singh has appeared as DW-1. Perusal of the impugned order shows that Surinder Singh has filed his affidavit Ex.DW1/A mentioning therein about the production of four documents, Ex.D-1 and Ex.D-2 were the certified copies of the sale deeds, Ex.D-3 was the certified copy of the power of attorney and Ex.D-4 was the site plan. However, respondents have omitted to place on record said site plan Ex.D3. Now the learned trial Court has granted permission to the defendants-respondents to produce the site plan Ex.D-4, which was duly mentioned in the affidavit of respondent Surinder Singh but could not be placed on record

inadvertently. There is no question of any prejudice to the rights of the petitioners as they were fully aware about this document.

5. Thus, I do not find any illegality in the impugned order calling for any interference by this Court while exercising the supervisory powers under Article 227 of the Constitution of India.

6. Resultantly, the present revision petition having, no merits, is hereby dismissed.

10.02.2016

S.khan

**(DARSHAN SINGH)
JUDGE**