

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR No. 938 of 2015 (O&M)

Date of decision: 02.03.2016

Rajbir and another

... Petitioners

versus

Rattan Singh and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE K. KANNAN

Present: Mr. Rakesh Nehra, Advocate, for the petitioners.

Mr. Pardeep S. Poonia, Advocate for the respondents.

K.Kannan, J. (ORAL)

Two witnesses who were permitted to be examined as additional witnesses by the plaintiff were retired *Patwari* who had translated revenue records from Urdu to Hindi and yet another witness who was a Draftsman who had prepared a rough sketch.

The grievance of the defendant is that there was no justification given as to why they could not be examined even at the first instance. I will not make this to be an issue for intervention if the trial Court has allowed for such additional evidence to be given. The petitioner is also at liberty to give any evidence in rebuttal since the evidence which is now given by the plaintiff is really in the nature of affirmative evidence through additional evidence. The order already

passed is sustained but I allow the liberty to the petitioner defendant to give any evidence in rebuttal of what is stated in the additional evidence.

The civil revision petition is disposed of with the above observations.

(K.KANNAN)
JUDGE

02.03.2016

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