

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

CR No. 3055 of 2017

Date of decision : 01.05.2017

Ishwar Dass

....Petitioner

V/s

Shri Ram Naresh Dass Maharaj

....Respondent

BEFORE : HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. H.S. Randhawa, Advocate for the petitioner.

RAJAN GUPTA J.

Present revision petition is directed against the order passed by trial court whereby application of the plaintiff-petitioner for leading additional evidence has been dismissed. It has been urged before the court that trial court erred in dismissing the application outrightly. Certain documents which were necessary for decision of the case were sought to be placed on record. Trial court ought to have allowed the prayer.

I have heard learned counsel for the petitioner.

It appears that plaintiff led affirmative evidence. After conclusion thereof he closed his evidence. Instant application was moved by him at the stage of culmination of the proceedings to produce certain revenue record and electricity bills. He also sought to produce a Will dated 12.11.1964. Trial court rejected the prayer observing that there was nothing to show that plaintiff could not produce the documents earlier despite due diligence. I find no infirmity with the order. Application filed by plaintiff appears to be misconceived. The case is now fixed for rebuttal and arguments. He got ample opportunity to lead evidence in affirmative. It

is not clear why he did not produce the evidence in question at that stage.
Trial court has, thus rightly rejected the plea. There is, thus no merit in the
petition. Dismissed.

May 01, 2017
Ajay

(RAJAN GUPTA)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No