

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

Sr. No.110-a

Civil Revision No.3422 of 2017 (O&M)
DECIDED ON: May 12, 2017

NATHA SINGH

..PETITIONER

VERSUS

AMARJEET KAUR

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Devinder Singh Gurna, Advocate,
for the petitioner.

JASPAL SINGH, J. (ORAL)

CM No.10680-CII of 2017

Heard.

Application is allowed as prayed for.

Documents (Annexures P-1 to P-6) are taken on record subject to all just exceptions and be tagged at appropriate place. The filing of certified copies thereof stands exempted.

Civil Revision No.3422 of 2017

By virtue of the instant civil revision preferred under Article 227 of the Constitution of India, petitioner has sought the setting aside of impugned order dated April 12, 2017, passed by learned Civil Judge (Jr. Divn.), Ludhiana, whereby an application to tender the copy of correct jamabandi for the year 2012-13 moved by the petitioner-plaintiff has been declined.

Civil Revision No.3422 of 2017 (O&M)

2. This is an undisputed fact that respondents-plaintiffs have filed a suit for grant of permanent injunction restraining the petitioner-defendant from interfering in their peaceful possession in the land measuring 0 Kanal 18.2/3 Marlas comprised in Khasra No.21//22/3, 23/1, 24, 26//4/1, Khewat No.355, 436-437 as per the jamabandi for the year 1992/1993 situated at Village Dewatwal, Sub-Tehsil Mullanpur Dakha, Tehsil and District Ludhiana with further directions to the petitioner-defendant not to interfere in the construction being raised by them in the property in dispute.

3. No doubt, the petitioner-defendant has already been tendered the copy of Jamabandi Ex. D1 pertaining to the year 2007-08 which gives the reference of Mutation No.3562 in respect of Khasra No.37//306 but in fact, Mutation No.3562 relates to Khasra No.37//6/1. The copy of Jamabandi for the year 2012-13 which also pertains to the disputed property would certainly throw some light on the controversy and would be helpful to the trial court to adjudicate upon the matter in controversy more effectively and judiciously. Moreover, the other parties are not going to suffer any irreparable loss, in case, the copy of jamabandi for the year 2012-13 is taken on record by way of additional evidence. Thus, the instant petition is disposed of with the direction to the learned trial court to receive the copy of Jamabandi for the year 2012-13 on record by way of additional evidence. However, the opposite party be also afforded an opportunity to adduce any evidence in rebuttal thereof.

May 12, 2017

Ankur

**(JASPAL SINGH)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No