

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

CR No.3576 of 2014
Date of decision : 12.10.2017

Arun Kumar and another

...Petitioners

Versus

Daulat Singh

...Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Anil Chawla, Advocate for the petitioners.

Mr. M.K. Bhatnagar, Advocate for the respondent.

ANIL KSHETARPAL, J. (ORAL)

The defendants-petitioners are in revision petition against the order dated 12.05.2014 passed by the trial Court permitting the plaintiff to produce certified copy of the building plan of Smt. Avinash Rani sanctioned by the Municipal Corporation.

Learned counsel for the petitioners has very vehemently argued that the aforesaid document is not relevant for the decision of the case and it was only in the nature of affirmative evidence.

I have considered the submissions of the learned counsel for the parties and with their able assistance gone through the documents available in the paper book.

In the present case, dispute between the parties is with regard to the demolition and damage to a wall situated in between the houses. The

building plan sanctioned by the Municipal Corporation has been permitted to be placed on file. Whether the document is relevant or not, would be examined by the trial Court at the time of final arguments. It is at the most, late production of documentary evidence. For that, the trial Court has already imposed costs of ₹1,000/- on the plaintiff.

In this case, the Court has exercised its discretion which is not shown to be perverse.

In these circumstances, I do not find any good ground to interfere with the order passed by the trial Court.

Revision petition is disposed of.

12.10.2017

Pawan

**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No