

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

CR-4278-2017

Date of decision: 03.08.2017

Mai Chand and another

...Petitioners

Versus

Pawan Kumar and others

...Respondents

CORAM:HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Ashok Kaushik, Advocate,
for the petitioner.

Ritu Bahri, J.

Challenge in this petition is to the order dated 02.05.2017 (Annexure P-4) passed by the Civil Judge (Junior Division), Indri, Karnal, whereby application filed by defendant-petitioners for additional evidence, has been dismissed.

By way of additional evidence, defendant-petitioners intend to produce and prove copy of judgment dated 04.01.2005 passed by this Court in RSA No.1225 of 1985.

A perusal of the judgment dated 04.01.2005 shows that the suit filed by Bhula, Mam Chand, Sunehri and Sona for challenging the order dated 15.12.1975 passed by the Collector with consequential relief for possession of the land in dispute, has been dismissed and the said judgment has been upheld up to this Court. In that suit, the plaintiffs were not held to be tenants over the suit land.

The petitioners have purchased the suit land from son of Bhula.

Therefore, they were in the knowledge of the earlier litigation pending

between the parties. Hence, the application of the petitioners has rightly

been dismissed by the trial Court.

After going through the impugned order, no illegality, much less perversity, has been found therein warranting interference by this Court.

Dismissed.

(RITU BAHRI)
JUDGE

03.08.2017
ajp

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