

**HIGH COURT FOR THE STATES OF PUNJAB & HARYANA AT
CHANDIGARH**

**CR No.572 of 2017
Date of decision:27.1.2017**

Kuldeep

...Petitioner

Versus

Randhir and others

...Respondents

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present: Mr.Nitin Jain, Advocate for the petitioner.

RAMESHWAR SINGH MALIK, J. (Oral)

Present revision petition is directed against the order dated 9.1.2017 (Annexure P-8), whereby the learned Additional District Judge, Bhiwani, during the pendency of first appeal of the defendants, has allowed their application for additional evidence, producing on record a mutation and some other revenue record.

Heard learned counsel for the petitioner.

Facts of the case are hardly in dispute.

A bare reading of operative part of the impugned order contained in para 7 thereof, would make it crystal clear that the documents sought to be produced on record by the respondents-defendants, are coming from proper custody. All the documents, which were sought to be produced on record, are part of official record. In this view of the matter, there was no scope for the defendants-respondents to fabricate any record. Evidentiary value of the documents yet to be produced on record, shall be considered and appreciated by the learned court below at a later stage of the case. Further, the learned Additional District Judge has categorically observed that the documents shall be helpful for the court to decide the

dispute between the parties more effectively. Once the learned court below itself has felt the necessity of documents, which were sought to be produced by the defendants on record by way of additional evidence, the impugned order was rightly passed. In spite of this fact, the plaintiff-petitioner has been compensated with reasonable cost. Having said that, this Court feels no hesitation to conclude that the learned Additional District Judge was well within his jurisdiction to pass the impugned order and the same deserves to be upheld.

During the course of hearing, learned counsel for the petitioner could not point out any patent illegality or perversity in the impugned order passed by the learned court below, which may warrant interference, at the hands of this Court, while exercising its revisional jurisdiction.

No other argument was raised.

Considering the peculiar facts and circumstances of the case noted above, coupled with the reasons aforementioned, this Court is of the considered view that the instant revision petition is wholly misconceived, bereft of merit and without any substance, thus, it must fail. No case for interference has been made out

Resultantly, with the above-said observations made, the present revision petition stands dismissed, however, with no order as to costs.

27.1.2017
mks

(RAMESHWAR SINGH MALIK)
JUDGE

Whether Speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No