

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

CR No. 6855 of 2015

Date of Decision: 01.08.2017

SUBHAN CHAND

-PETITIONER

VS

RAN KAUR AND ORS

-RESPONDENTS

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Ajay Ghangas, Advocate,
for the petitioner.

Mr. Ravish Bansal, Advocate,
for respondent No.1.

RAJ MOHAN SINGH, J. (ORAL)

Petitioner has filed this revision petition against the order dated 06.10.2015 passed by Civil Judge (Junior Division), Panipat vide which application for adducing additional evidence was rejected.

Petitioner is a defendant in the suit. He filed an application under Order 18 Rule 17 read with Section 151 CPC for leading additional evidence.

At the very outset, learned counsel for the petitioner submits that there was a typographical error in mentioning the provision as Order 18 Rule 17 CPC instead of Order 18 Rule 17-A CPC.

Defendant-petitioner only sought to tender copies of Khasra Girdwaries for the year 1992 to 2014, death certificate of Dhanwa Lambardar and affidavits of Dhanwa Lambardar and one Narender without leading any evidence in the context of proving their execution.

Concededly, the suit is at the final stage. Looking to the controversy between the parties, I am of the view that the petitioner can be allowed to tender the aforesaid documents without seeking any further opportunity to lead any evidence in the context of proving their execution.

Without commenting upon admissibility of the documents in question, at this stage, I deem it appropriate to allow this revision petition to the aforesaid extent subject to payment of costs of Rs.15,000/- to be paid to the plaintiff-respondents.

Payment of costs shall be the condition precedent for granting indulgence by the trial Court in the aforesaid context.

Disposed of.

01.08.2017
jyoti

(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No