

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

**CR No.726 of 2017 (O&M)
Date of decision: March 08, 2017**

Gian Chand

....Petitioner

Versus

Surjan and others

...Respondents

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Ramesh K. Dhiman, Advocate
for the petitioner.

JASPAL SINGH, J.(ORAL)

CM No.4670-CII of 2017

Through this application moved under Section 151 CPC, applicant/petitioner has sought permission to place on record Annexures P-6 and P-7 i.e. the copy of the order whereby the issues were framed and copy of the statement of learned counsel whereby the evidence of the petitioner/plaintiff was closed.

Documents are taken on record subject to all just exceptions.

Application stands disposed of accordingly.

Application be tagged at the proper place.

CR No.726 of 2017 (O&M)

Challenge in this revision petition preferred under Article 227 of Constitution of India is to the order dated 9th January, 2017 passed by Civil Judge (Junior Division), Kurukshetra vide which an application filed by the petitioner/plaintiff to produce and exhibit certified copies of Resolution No.1 passed by the Panchayat dated 17th November, 1978, Resolution No.2 dated 18th August, 1981, site plan of disputed property, as well as Masavi of Village Banodi, in rebuttal evidence, has been dismissed.

Undoubtedly, documents were required to be produced and proved by the petitioner/plaintiff in his affirmative evidence to discharge the onus. Though some of the documents have already been produced but could not be properly exhibited, on account of which, the documents have been marked only and marked documents cannot be read as evidence while deciding the matter in controversy. Thus, it can be said that there is no illegality in the impugned order dated 9th January, 2017, however, the instant revision petition is disposed of with direction to the petitioner/plaintiff to move an appropriate application seeking permission of the Court for producing above referred documents by way of additional evidence. On receipt of the application, it shall be dealt with and disposed of by the Court concerned in accordance with law.

With the aforesaid direction, instant petition stands disposed of.

March 08, 2017

m. sharma

(JASPAL SINGH)

JUDGE

Whether Speaking/Reasoned

Yes/No

Whether Reportable

Yes/No