IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CR No.757 of 2017
Date of decision: 03.02.2017

Ram Gopal

... Petitioner

Vs.

Oriental Bank of Commerce

... Respondent

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present: Mr. D.S. Gurna, Advocate
for the petitioner.

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RAMESHWAR SINGH MALIK, J. (ORAL)

Feeling aggrieved against the impugned order dated 20.01.2017 passed by learned trial Court, whereby application of the plaintiff-respondent Bank for additional evidence, was allowed, defendant has approached this Court by way of present revision petition under Article 227 of the Constitution of India, for setting the impugned order.

Heard learned counsel for the petitioner.

A bare perusal of the impugned order would show that learned trial Court has felt it necessary to allow the application of the plaintiff-respondent for additional evidence, because production of the original documents would facilitate the learned trial Court in deciding the case effectively, by arriving at a just conclusion. Once the learned trial Court itself has felt the necessity of the documents for effective decision of the lis between the parties, coupled with the fact that no prejudice was going to be caused to the defendant, learned trial

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Court was well within its jurisdiction to pass the impugned order and the same deserves to be upheld.

It is the settled proposition of law that rules of procedure are meant for advancing the cause of justice. Whenever, in a given fact situation, learned trial Court feels the necessity of production of any document from either of the parties, the learned Court would do well, permitting any of the parties to bring on record those documents, the presence of which would facilitate the learned trial Court in arriving at a just conclusion to do complete and substantial justice between the parties. Having said that, this Court feels no hesitation to conclude that learned trial Court committed no error of law, while passing the impugned order and the same deserves to be upheld, for this reason also.

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 present revision petition is wholly misconceived, bereft of merit and without any substance, thus, it must fail. No ground for interference has been made out.

Resultantly, with the abovesaid observations made, instant revision petition stands dismissed, however, with no order as to costs.

[RAMESHWAR SINGH MALIK]
JUDGE

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

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