

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CR-8695-2015

Date of Decision:- 31.07.2017

Mohinder Kumar

.....Petitioner

Versus

Niranjan Kumar and others

.....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. A.K. Yadav, Advocate
for the petitioner.

Mr. Gulshan Nandwani, Advocate
for the respondents.

RITU BAHRI, J. (Oral)

Petitioner-defendant has come up in revision against the order dated 17.11.2015 (Annexure P-3), passed by learned trial Court, whereby application made by the respondents-plaintiffs to lead additional evidence has been allowed.

Perusal of the above-said order (Annexure P-3) shows that the plaintiffs had filed a suit for recovery of ₹1,36,000/- against the defendant. As per the plaintiffs, the matter was settled between them at PP Gokalgate whereby defendant agreed to make the payment of ₹1,36,000/- in writing. On the other hand, defendant has denied the settlement and his signatures. Now, at this stage of rebuttal, the plaintiffs

intends to lead the additional evidence by getting the original signatures of the defendant in the income tax return dated 12.07.2011 and application under Section 151 CPC for the said purpose has been allowed in order to ascertain the true facts and to adjudicate the matter effectively.

After hearing the learned counsel for the petitioner, going through the impugned order, this Court is of the considered view that learned Civil Judge (Sr. Division), Rewari, has rightly passed the impugned order after appreciating the evidence in the correct prospective. Such order, containing valid reasons, cannot possibly be interfered with by this Court, in exercise of limited revisional jurisdiction of this Court, unless and until, the same is illegal, perverse and without jurisdiction. Since, no such patent illegality or legal infirmity has been pointed out by the learned counsel for the petitioner, therefore, the instant revision petition is hereby dismissed.

July 31, 2017
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(RITU BAHRI)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No