

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

Civil Revision No.831 of 2017 (O&M)  
Date of decision: March 09, 2017

JAGDISH RAM

....PETITIONER...

VS.

GURDAS RAM AND OTHERS

....RESPONDENTS...

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Sanjeev Pandit, Advocate,  
for the petitioner.

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JASPAL SINGH, J.

CM-5329-CII-2017

This is an application for placing on record copies of orders (Annexures P-7 to P-15) and for exemption from filing certified copies of the same.

Allowed as prayed. Documents (Annexures P-7 to P-15) are taken on record, subject to all just exceptions. Be tagged at the appropriate place.

CM stands disposed of.

Main case

By virtue of instant civil revision petition preferred under Article 227 of the Constitution of India, the petitioner has sought quashing/setting aside of order dated 21.12.2016 (Annexure P-6) passed by Id. Civil Judge (Junior Division), Mukerian, District Hoshiarpur, whereby an application preferred by petitioner-defendant No.3 seeking permission to adduce additional evidence,

has been dismissed

2. Undisputably, evidence of petitioner-defendant No.3 has been closed by orders of ld. trial court vide order dated 16.11.2016 and, subsequent thereto, an application was moved seeking permission to produce certified copy of Akas Shajjra, certified copy of Massabi and certified copy of the statement of Avtar Singh Kanungo recorded in some other case by way of additional evidence, which has been dismissed vide impugned order dated 21.12.2016.

3. Without commenting upon the averments made in the petition with regard to the presence or non-presence of Mr. A.K. Kalia, Advocate at the time of passing the impugned order(s), this Court is of the considered view that the production of documents referred to above by petitioner-defendant No.3 would be essential for the just, proper and effective decision of the case.

4. Accordingly, instant petition is disposed of with the direction to the trial court to afford an effective opportunity to petitioner-defendant No.3 to produce the aforesaid documents on record but in accordance with the provisions of the evidence Act.

**March 09, 2017**

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**(JASPAL SINGH)  
JUDGE**

Whether speaking/reasoned:

Yes

Whether reportable:

Yes/No