

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Civil Revision No.8428 of 2017 (O&M)
Date of Order:04.12.2017

Sarwan Singh

..Petitioner

Versus

Corporation Bank and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Rohit Ahuja, Advocate,
for the petitioner.

ANIL KSHETARPAL, J(Oral)

Defendant-petitioner is in revision petition against order dated 31.07.2017 passed by the trial Court permitting plaintiff Corporation Bank to file supplementary affidavit in examination-in-chief.

Plaintiff-petitioner which is a nationalized bank, wanted to lead evidence in affirmative. Affidavit of one Lal Dass, PW1 was tendered in examination-in-chief. The case was adjourned for cross-examination on the request of learned counsel for the defendant.

Before the defendant could start cross-examination, an application was filed by the plaintiff to substitute the affidavit or for permission to submit additional affidavit by way of examination-in-chief.

Learned Court allowed the application and permitted the plaintiff to file additional affidavit in examination-in-chief. The defendant-petitioner is aggrieved thereof.

Learned counsel for the petitioner has submitted that once an affidavit in lieu of examination-in-chief has been filed, the same cannot be permitted to be changed.

I have considered the submissions of learned counsel and with his able assistance gone through the documents available in the paper book.

It is not in dispute that before cross-examination could start, an application was filed for permission to submit additional affidavit by way of additional examination-in-chief. Plaintiff pointed out that due to typing and inadvertent mistake, some errors have crept in the initial affidavit submitted. Learned Court after considering all aspects of the matter chose to allow the application.

Taking into consideration the facts involved in the present case and the discretion exercised by the trial Court, this Court does not find any good ground to interfere with the impugned order passed by the learned Court.

The revision petition is dismissed.

December 04, 2017
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(ANIL KSHETARPAL)
JUDGE

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