

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

**CR No.1653 of 2016 (O&M)
Date of decision : March 06, 2018**

Sital Singh and another Petitioners

Versus

Balbir Singh and others Respondents

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. S.P. Soi, Advocate for the petitioners.

Ms. Ekta Thakur, Advocate for respondent Nos.1 to 5.

1. Whether the Reporters of local newspaper may be allowed to see the judgment ?
2. To be referred to the Reporter or not.
3. Whether the judgment should be reported in the digest ?

KULDIP SINGH J. (ORAL)

Impugned in the present revision petition is the order dated 12.02.2016 passed by learned Civil Judge (Jr. Divn.), Nakokar, vide which application filed under Section 65 of the Evidence Act, 1872, by respondent No.1 for leading the secondary evidence of the registered sale deed dated 08.11.1982 and the sale deed dated 16.11.1988 was allowed.

Heard.

Learned counsel for the petitioners states that in this case, the sale deeds are in possession of the vendees and a notice under Section 66 of the Evidence Act, 1872 is required to be issued before allowing the additional evidence.

A perusal of the application for leading secondary evidence shows that regarding the sale deed dated 07.01.971, it was stated that the vendors Jarnail Singh and Surjit Singh are dead and that Jarnail Singh vendor of defendant No.1 during his lifetime further sold the land to one

Joginder Singh, who had not appeared despite notice as he was living in foreign country. Regarding the sale deed dated 08.11.1982, it is stated that summons were issued to one Surain Singh to produce the said sale deed but he had not produced the said sale deed.

I am of the view that the sale deeds are registered documents and there is no possibility of manipulating the same. Substantial compliance of Section 66 of the Evidence Act, 1872 is made. Therefore, there is no ground to interfere in the impugned order.

As such, the present revision petition is dismissed.

(KULDIP SINGH)
JUDGE

March 06, 2018

sarita

Whether speaking / reasoned Yes

Whether Reportable: No