

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR-1635-2018 (O&M)
Date of decision : 27.4.2018

Labh Singh

..... Petitioner

Versus

Joginder Singh

..... Respondent

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Gaurav Chopra, Advocate for the petitioner.

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 15.12.2017 (Annexure P-5), passed by learned Civil Judge (Junior Division), Ludhiana vide which in an application filed by defendant-petitioner for directing plaintiff-respondent to bring the complete income tax record from 2006-2007; 2016-2017; balance sheets, accounts books, all passbooks of bank accounts for the purpose of cross-examination was dismissed.

Heard.

After going through the impugned order I am of the view that the defendant-petitioner had asked the plaintiff-respondent to bring the said record but if the plaintiff-respondent does not want to bring the said record,

he cannot be compelled to do so. Defendant-petitioner is always at liberty to summon the income tax record from the income tax authorities or summon the bank record. However, if the plaintiff-respondent does not want to produce the said record, he cannot be forced to do so. At the most, what the Court can do is to draw adverse inference, if it so required, in the given circumstances.

In view of above, I do not find any illegality or infirmity in the impugned order dated 15.12.2017 (Annexure P-5), passed by learned Civil Judge (Junior Division), Ludhiana.

Accordingly, present revision petition is dismissed.

(KULDIP SINGH)
JUDGE

27.4.2018
sarita

Whether speaking / reasoned	Yes
Whether Reportable:	No