

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

259

CR No.2166 of 2017 (O&M)

Date of decision: 04.04.2018

Angdhaj

..... Petitioner

Versus

Parmeshwari and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr. C.B. Goel, Advocate
for the petitioner.

Mr. Amit Jain, Advocate
for respondents No.1, 3 and 4.

ANIL KSHETARPAL, J. (ORAL)

Plaintiff-petitioner is in the revision petition against the order dated 13.01.2017 passed by the learned trial Court permitting additional evidence so as to produce on file the original Will-a testamentary document.

In the present case, the learned trial Court has noticed that the attesting witness and the official from the office of Sub-Registrar have been examined. The Will-testamentary document is registered.

Learned counsel for the petitioner has vehemently argued that the case was fixed for rebuttal arguments and in fact the final arguments had been heard when this application was filed. He submits that at this stage, the application for additional evidence was not maintainable.

On the other hand, learned counsel for the respondents has pointed out that inadvertently the original Will was not produced although a

copy thereof was available on the file and the defendants have already led their evidence on the basis thereof including the official from the office of Sub-Registrar.

Taking into consideration the fact that the dispute is with regard to genuineness of the Will and the parties have already led their evidence in support thereof, this Court does not find any good ground to interfere with the discretion exercised by the learned trial Court.

Revision petition is dismissed.

04.04.2018

Dinesh Bansal

**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned

Yes / No

Whether Reportable

Yes / No