

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

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CR No.2683 of 2017 (O & M)
Date of Decision:06.04.2018

M/s Neeraj Kumar Anil Kumar

...Petitioner

Versus

M/s Ramdhari Virender Kumar and another

...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Sanjiv Kumar Aggarwal, Advocate
for the petitioner.

Mr. Parminder Singh, Advocate
for the respondents.

ANIL KSHETARPAL, J.(Oral)

Plaintiff-petitioner is in the revision petition against the order passed by the learned trial Court permitting the defendants to lead additional evidence. The learned trial Court has noticed that in rebuttal evidence, plaintiff has examined official of the Punjab National Bank, Indri as PW-7, who has proved on record the statement of account from 2007-2010. At that stage, the defendants moved an application to prove the complete account books maintained by the plaintiff firm in the ordinary course of business. The learned trial Court had felt that such evidence should be allowed to be led in additional evidence. Although, learned counsel for the petitioner has vehemently argued that such evidence was in the nature of affirmative evidence and, therefore, it could not be permitted by way of additional evidence, however, taking into consideration the fact that the plaintiff firm has already led evidence in rebuttal by examining official of the Punjab National Bank, Indri, and the learned trial Court has exercised the discretion in allowing additional evidence, this Court does not find any good ground to interfere with the impugned order passed.

Revision petition is dismissed.

06.04.2018
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(ANIL KSHETARPAL)
JUDGE