

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

115

CR No.3559 of 2016
Date of decision: 26.02.2018

Parminder Singh and another

..... Petitioners

Versus

Harinder Singh and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr. Sunny K. Singla, Advocate
for the petitioners.

None for the respondents.

ANIL KSHETARPAL, J. (ORAL)

Plaintiffs-petitioners are in revision petition against the order passed by the learned trial Court permitting the defendants to lead secondary evidence in order to prove registered sale deed dated 25.11.2003.

Learned counsel for the petitioners has vehemently argued that such sale deed is not part of the pleadings and therefore, the defendants-respondents cannot be permitted to lead evidence.

In the present case, the plaintiffs had filed a suit for declaration that the plaintiffs are joint owners in possession of the property to the extent of 1/14th share. The plaintiffs had also challenged the registered sale deeds dated 24.02.1994, 29.12.1999, 05.05.2000, 28.02.2002 and other documents.

The defendants contested the suit and claimed that they are owners of the property and the plaintiffs have no locus standi. The sale

deed dated 25.11.2003 was executed by the plaintiffs transferring their interest in favour of someone else. In the considered opinion of this Court, such document has rightly been permitted to be proved by secondary evidence because this would be one of the issue which arises between the parties.

Revision petition is dismissed.

26.02.2018
Dinesh Bansal

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned	Yes / No
Whether Reportable	Yes / No