

CR-4629-2018

Date of Decision: 25.07.2018

Punjab State Grains Procurement Corporation
Limited and another

.....Petitioners

Versus

M/s Gill Rice Mills and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL**Present:** Mr. T.S. Sidhu, Advocate
for the petitioners.**DEEPAK SIBAL, J. (ORAL)**

Through the present petition, challenge is made to the order dated 25.05.2018 passed by the Additional Civil Judge (Senior Division), Gurdaspur (for short 'the Trial Court') through which an application filed by the respondents/plaintiffs to put a Video CD to the defendant witness at the time of cross-examination, has been allowed.

Learned counsel for the petitioners submits that the veracity of the Video CD which has been permitted to be put to the witness DW-1 is doubtful and, therefore, playing of the CD in the Court without verifying its authenticity would create evidence in favour of the respondents which would prejudice the petitioner's right.

Through the order impugned in the present petition, all that the Trial Court has directed is the production of a Video CD to be put to DW-1, Sanjogita, Food and Supply Officer, Batala during her cross-examination. Such CD purportedly was made by the Punjab and Sind Bank at the time DW-1, Sanjogita, Food and Supply Officer, Batala had entered the Mill of

the respondents for taking stock. The Trial Court has rightly observed that no prejudice would be caused to the petitioners/defendants if the CD which has been made by a Nationalized Bank, is put to DW-1, Sanjogita, Food and Supply Officer, Batala during her cross-examination.

The fears expressed by learned counsel for the petitioners with regard to the admissibility of the unauthenticated Video CD are misplaced as a perusal of the impugned order clearly reveals that the Trial Court has observed that the evidentiary value of the Video CD in question shall be decided at the time of arguments. That being so, it would be open to the petitioners to raise all available objections with regard to the admissibility/authenticity/veracity of the Video CD in question which shall be disposed of at the time of final arguments by the Trial Court in accordance with law.

The petition stands disposed of in the above terms.

(DEEPAK SIBAL)
JUDGE

25.07.2018

Neha

Whether Speaking/Reportable : Yes/No

Whether Reportable : Yes/No