

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

**Civil Revision No.4933 of 2017(O&M)
Date of Order: 08.03.2018**

Swaran Singh

..Petitioner

Versus

Sukhchain Singh and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Vijay Rana, Advocate,
for the petitioner.

Mr. Chaman Lal Sharma, Advocate,
for respondent no.1.

ANIL KSHETARPAL, J (Oral)

Learned trial court while demising an application for additional evidence has observed that once the evidence has been closed, no application for additional evidence is maintainable as it would amount to revision of the order closing the evidence.

In the considered opinion of this court, the order passed by the learned Civil Judge (Sr. Division), Jalandhar, dated 10.07.2017 is wholly wrong. The application for additional evidence is filed after the closure of the evidence either by the Court or on the statement of the respective parties to the suit. The need for filing such application for leading additional evidence arises only after the closure of the evidence of the party.

In view thereof, the order passed by the learned Civil Judge (Sr. Division), Jalandhar, dated 10.07.2017, is set aside.

The revision petition is allowed.

Learned trial court is directed to reconsider the application for additional evidence on merits.

March 08, 2018

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Whether speaking/reasoned

Whether reportable

**(ANIL KSHETARPAL)
JUDGE**

: Yes/No

: Yes/No