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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Civil Revision No.6051 of 2018 (O&M)

Date of Decision: 05.10.2018

M/S J D ALLOYS

.....Petitioner

Vs

M/S STOKER CONCAST PVT LTD & ORS

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. A.S. Shera Advocate
for the petitioner.

RAJ MOHAN SINGH, J.(Oral)

This revision has been preferred against the order dated 18.08.2018 passed by the Civil Judge (Jr. Divn.), Faridabad, vide which application under Order 18 Rule 3 Sub-Rule 2 read with Section 151 CPC for seeking permission to adduce the evidence in rebuttal was dismissed.

The legal position cannot be disputed that the plaintiff cannot lead evidence in rebuttal in respect of an issue, the onus of which was on the plaintiff himself.

In view of **Surjit Singh and others vs. Jagtar Singh and others, 2007(1) RCR (Civil) P&H 537 (DB); Jagdev Singh and others vs. Darshan Singh and others, 2007(1) RCR (Civil) 794 (DB)** and **Avtar Singh vs. Baldev Singh, 2015(1) PLR 230** no indulgence can be granted to the petitioner in the aforesaid premises.

This revision petition is accordingly dismissed.

October 05, 2018

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**(RAJ MOHAN SINGH)
JUDGE**