

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

**CR No.6505 of 2017 (O&M)
Date of decision : February 14, 2018**

Joginder Singh

..... Petitioner

Versus

Kanwaljit Singh and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Arun Jindal and Mr. Arihant Jain, Advocates
for the petitioner.

1. Whether the Reporters of local newspaper may be allowed to see the judgment ?
2. To be referred to the Reporter or not.
3. Whether the judgment should be reported in the digest ?

KULDIP SINGH J. (ORAL)

Heard.

Impugned in the present revision petition is the order dated 18.08.2017 (Annexure P-4) passed by learned Civil Judge (Jr. Divn.), Patiala, vide which an application filed by the defendant for directing the plaintiff to produce his photograph for the purpose of comparison with the photograph on the sale deed, has been dismissed, without issuing notice to the opposite party.

The defendant wants to get the photograph of the plaintiff produced, to show that the plaintiff was present at the time of execution of the sale deed by the defendant in favour of third person, so as to show that the sale deed was executed in favour of third person at the instance of the plaintiff. The agreement of sale was between the defendant and the plaintiff.

I am of the view that the production of the photograph and the comparison of the same will not serve any purpose. The defendant in his

statement can simply identify the plaintiff in the photograph and then the burden will be shifted upon the plaintiff to prove that he was not present at the time of execution of the sale deed. Therefore, the application was rightly dismissed by the trial court.

As such, the present revision petition is disposed of with the abovenoted observations.

(KULDIP SINGH)
JUDGE

February 14, 2018

sarita

Whether speaking / reasoned Yes

Whether Reportable: No