

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR No. 7712 of 2017 (O/M)
Date of decision : 15.1.2018

Labh Kaur (since deceased) through her LRs Petitioner

Versus

Mohit Arora Respondent

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Gazi Mohd. Umair, Advocate, for petitioners.

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 ?
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KULDIP SINGH J. (ORAL)

Heard.

Impugned in present revision is the order dated 25.9.2017 (Annexure-P-5), passed by the learned Civil Judge (Junior Division), Fatehgarh Sahib, vide which an application filed by the petitioners-plaintiffs for permission to lead additional evidence to prove photocopy of affidavit dated 21.2.2013 by way of secondary evidence, has been dismissed.

It comes out that a suit for declaration was filed in the year 2013. The case is now fixed for rebuttal and arguments. Now, about more than four and half years have elapsed. The trial is already complete. The photocopy of affidavit dated 21.2.2013 is stated to have been submitted before the police authority. The plaintiffs will be required to first lead secondary evidence and the additional evidence regarding the same could be led thereafter.

The learned counsel for petitioners contends that he filed the

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application immediately on obtaining the photocopy of affidavit dated 21.2.2013. However, the source from which he got the photocopy of said affidavit is not disclosed. The plaintiffs have already led the affirmative evidence. The other party has also led the evidence. At this time, the clock cannot be put back. There is no ground to interfere in the impugned order. Instant revision is dismissed.

(KULDIP SINGH)
JUDGE

15.1.2018
sjks

Whether speaking / reasoned : Yes

Whether Reportable : No