

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR No. 8573 of 2016

Date of Decision: 25.10.2018

Mehtab Singh and others

.....Petitioners

Vs.

Dalip Singh and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Johan Kumar, Advocate,
for the petitioners.

Mr. Parminder Singh, Advocate,
for the respondents.

AMOL RATTAN SINGH, J. (ORAL)

Vide this petition, the petitioners, i.e. plaintiffs before the trial Court, essentially challenge the order of that Court dated 22.11.2016, by which certain documents that were already on record but not shown as exhibited documents, were refused to be accepted by that Court as exhibited documents, as no such application had been filed in the entire period given to the plaintiffs to lead and conclude their evidence.

Learned counsel for the petitioners submits that the petitioners do not wish to examine any more witnesses with regard to the aforesaid documents, the witnesses already examined having testified in respect of the documents, but with the documents not having been exhibited despite being 'on file'.

Upon query to Mr. Parminder Singh, learned counsel for the respondents, with regard to the correctness of the statement that the documents

were already on file, he very fairly does not dispute that factual aspect, but submits that if the documents are allowed to be shown as exhibited documents, the respondents-defendants should be granted an opportunity to cross-examine the witnesses as had testified in respect of those documents, even at this stage after defence evidence has been closed.

That being so, this petition is allowed with the impugned order aside and the documents as were already on record earlier, permitted to be shown as exhibited documents, with the defendants granted an opportunity to cross-examine the witnesses as had testified for the plaintiffs in support of such documents.

It is made clear that the correctness or otherwise of the said documents has not been commented upon in any manner by this Court, which naturally would be appraised by the trial Court wholly on the basis of evidence led before it.

October 25, 2018
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(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes
Yes