

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

116

CR-990-2018 (O & M)

Date of decision :15.02.2018

Zari Bai

...Petitioner

Versus

Smt. Sonia and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr.Shiv Kumar, Advocate
for the petitioner.

ANIL KSHETARPAL, J.(Oral)

Plaintiff-petitioner is in the revision petition against the order passed by the learned trial Court dismissing the application under Order 11 Rule 14 of the Code of Civil Procedure.

When the case is for final arguments, plaintiff filed an application praying that the defendant be directed to produce Income Tax Returns and documents relating to the previous litigation.

The learned trial Court considered the application and found that parties were alive to the dispute involved in the case and have already led their evidence. The Court has further considered that when the case is at final stage, application cannot be allowed particularly when burden was upon the plaintiff to prove that the defendant had no paying capacity to give sale consideration as alleged.

In the considered opinion of this Court, the application filed was not maintainable. Order 11 Rule 14 of the Code of Civil Procedure only enables the Court suo motu to order production of document to any party.

Order 11 Rule 14 CPC does not envisage filing of any application at the stage of arguments.

In view thereof, there is no scope for interference.

Hence, this revision petition is dismissed.

15.02.2018
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(ANIL KSHETARPAL)
JUDGE

Whether Speaking/reasoned : Yes/No
Whether Reportable : Yes/No