

(224)

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

CR-8837 of 2017 (O&M)

Date of Decision: 13.12.2018

TARSEM SINGH

.....Petitioner

Vs

RAJINDER SINGH DECEASED THROUGH LRS & OTHERS

.....Respondents

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present: Mr. Anuj Balian, Advocate
for the petitioner.

Mr. Amit Jaiswal, Advocate
for respondent No.4.

RAJ MOHAN SINGH, J.(Oral)

1. This revision petition has been preferred by the petitioner against the order dated 05.12.2017 passed by the Civil Judge (Junior Division), Ambala (Annexure P-6) vide which application filed by the petitioner for producing on record original passports for the period 22.12.1981 to 21.12.1991 and another passpsort for the year 24.05.1995 to 23.05.2005 along with certified copy of report under Section 202 Cr.P.C., was dismissed.

2. At the very outset learned counsel for the petitioner submits that he does not want to adduce report under Section 202 Cr.P.C. on record. He confined his prayer only to the extent of production of original passports for the aforesaid period on record without leading any evidence to that effect. The admissibility or otherwise of the aforesaid documents may be gone into by the trial Court in accordance with law.

3. It appears from the record that a sale deed dated 09.12.1987 was allegedly executed by the plaintiffs in favour of defendant Nos. 1 and 2. Mutation was also sanctioned in pursuance of said sale deed. Thereafter, defendant No.2 executed a sale deed dated 27.08.2001 in favour of defendant No.3 and defendant No.3 further sold the land to defendant No.4 vide sale deed dated 26.04.2002. Mutations of the aforesaid sale deeds were also sanctioned. After the demise of defendant No.1, defendant No.2 filed a suit for declaration qua the remaining property of her husband and the said suit was dismissed by the trial Court. The appeal preferred was also dismissed by the lower Appellate Court and Regular Second Appeal No.3771 of 2017 is pending in the High Court.

4. While dismissing the suit, sale deed dated 09.12.1987 has been adversely commented upon.

5. At this stage, without meaning anything on the merits of

the case it would be just and expedient to allow the petitioner to place on record the passports for the aforesaid period leaving the trial Court to decide the admissibility, validity and veracity of the aforesaid documents in accordance with law.

6. Petition stands disposed of accordingly.

December 13, 2018.
tarun

(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned Yes/No

Whether reportable Yes/No