

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

**RSA No.5346 of 2016 (O&M)
Date of Decision.03.12.2018**

Vinod Kumar

...Appellant

Vs

State of Punjab and others

...Respondents

CORAM:HON'BLE MR. JUSTICE AMIT RAWAL

Present: Mr. Alok Mittal, Advocate
for the appellant.

-:-

AMIT RAWAL J. (ORAL)

C.M. No.13893-C of 2016

For the reasons stated in the application, delay of 54 days
in filing of the appeal is condoned.

Application is allowed.

RSA No.5346 of 2016

The appellant-plaintiff has miserably failed to seek
declaration that his grand father was freedom fighter since 1928,
being the member of 4 Annam Member of Indian National Congress.
The entire claim was based upon the newspaper cutting Ex.P11 &
P12 and one letter written by Dr. Giani Zail Singh .

It is settled law that newspaper cuttings are not
permissible piece of evidence under the Indian Evidence Act and in
the absence of any other record from competent officer where he
alleged to have worked and participated in seeking independence of
the country, rightly so discarded the status of freedom fighter. In
other words, plaintiff failed to discharge the onus in support of the
pleadings made in the plaint.

In view of the aforementioned observations, the Courts below had no occasion but to dismiss the suit. I do not find any illegality and perversity in the judgments and decrees rendered by the Courts below, much less, no substantial question of law arises for determination by this Court. No ground for interference is made out. Resultantly, the second appeal is dismissed.

(AMIT RAWAL)
JUDGE

December 03, 2018

Pankaj*

Whether Reasoned/Speaking Yes

Whether Reportable No