

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr. No.204

CR-2298-2017 (O&M)
Date of decision: 08.07.2019

Anita and another

....Petitioner

versus

Subhash Chand and others

....Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. S.K. Tripathi, Advocate
for the petitioners.

Mr. J.P. Sharma, Advocate
for respondent No.1.

Mr. Varun Sharma, Advocate
for respondents No.2 to 5.

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DEEPAK SIBAL, J. (Oral)

The present petition is directed against the order dated 21.03.2017 passed by the Civil Judge (Junior Division), Rewari through which respondent No.1 has been permitted to lead additional evidence in the form of certified copies of municipal records and judgments.

After hearing learned counsel for the parties as also perusing the record, it is revealed that the impugned order passed by the Trial Court does not contain any reasons as to why the aforementioned documents are being allowed to be placed on the record as additional evidence. The relevance of such documents and as to why they are being permitted to be produced as additional evidence is also not forthcoming. The Trial Court has also not questioned respondent No.1 as to why he did not produce the said documents at the time when he was leading his evidence. The

application filed by respondent No.1 has been allowed only for the reason that through the same he intended to produce as additional evidence certified copies of municipal record and judgments. No reasons are found in the impugned order as to how these documents would assist the Trial Court in the effective adjudication of the dispute between the parties.

In view of the above, after setting aside the impugned order, the matter is remitted back to the Trial Court for deciding respondent No.1's application afresh. The needful be done within two weeks from the date of receipt of a certified copy of this order.

The petition is allowed in the above terms.

(DEEPAK SIBAL)
JUDGE

July 08, 2019
Jyoti 1

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No