

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

**CR No.2627 of 2018(O&M)
Date of Decision: 22.08.2019**

Smt. Seema

.....Petitioner

Versus

Lakhmi Chand and others

.....Respondents

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

Present:Ms. Sonia G. Singh, Advocate
for the petitioner.

Mr. Parminder Singh, Advocate
for the respondents.

RAJ MOHAN SINGH, J.(Oral)

[1]. Petitioner has preferred this revision petition against the order dated 05.03.2018 passed by the Civil Judge (Junior Division), Karnal, vide which prayer of the plaintiff/petitioner to lead expert evidence in rebuttal was declined.

[2]. Perusal of the record would show that the defendants set up a Will in the written statement which was not controverted by the plaintiff while filing replication. No challenge was made to the Will, nor any pleadings were brought on record even by amendment of plaint. Plaintiff has already concluded her

affirmative evidence and no issue regarding Will was framed by the trial Court. Defendants have led evidence in the form of handwriting and fingerprint expert which was cross-examined by the expert of the plaintiff.

[3]. Since there is no foundation laid by the plaintiff in terms of pleadings on record, therefore, the evidence even if allowed to be led, would be beyond pleadings.

[4]. In view of aforesaid facts, I see no justification to interfere in the impugned order. This revision petition is accordingly dismissed.

22.08.2019
Prince

(RAJ MOHAN SINGH)
JUDGE

Whether reasoned/speaking **Yes/No**

Whether reportable **Yes/No**