

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 202

CR-5549-2018

Date of decision : 16.10.2019

M/s Award Velvet and another

..... Petitioners

VERSUS

Mahavir Loomtex Pvt. Ltd.

..... Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. N. R. Ghangas, Advocate, for the petitioners.

Mr. Lakshay Bajaj, Advocate, for the respondent.

DEEPAK SIBAL, J. (ORAL)

The present petition is directed against the order dated 18.07.2018, passed by the Civil Judge (Junior Division), Panipat (for short, the Trial Court), dismissing an application filed by the petitioners through which they sought to place on record certain bills.

The facts, in brief, which are required to be noticed for adjudicating upon the present petition are that the respondent filed a suit seeking therein to recover from the petitioners a sum of ₹2,82,185/- alongwith future interest. On being put to notice, the petitioners, who were the defendants, appeared before the Trial Court and disputed the respondent's claim. Thereafter the Trial Court framed issues on which the respondent led its entire evidence. While the petitioners were in the midst of leading their evidence, an application was preferred by them seeking to place on record certain bills. Such application was dismissed by the Trial Court on the ground that these bills which the petitioners sought to place on record were already on record as they had been produced by the respondent during the course of leading its evidence. Such order of the Trial Court is under challenge in the present proceedings.

Learned counsel for the parties have been heard.

In a recovery suit filed by the respondent in the year 2014, at the time of leading their evidence, through the impugned order the Trial Court has not permitted the petitioners to produce on record certain bills on the ground that these bills are already on record as they were produced by the respondent while leading its evidence and the petitioners have also cross examined the respondent on this aspect. That being so, no error is found in the order of the Trial Court especially in view of the fact that the afore factual position on the basis of which the Trial Court had dismissed the application is not disputed.

Dismissed.

Since the respondent's recovery suit was filed in the year 2014, the Trial Court is directed to dispose of the same within two months from the date of receipt of a copy of this order.

16.10.2019
shamsher

[DEEPAK SIBAL]
JUDGE

Whether speaking/reasoned	:	Yes / No
Whether reportable	:	Yes / No