

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr. No.223

CR-6166-2016

Date of decision: 17.09.2019

Satjit Singh

....Petitioner

versus

Kamaljit Singh

....Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. S.L. Bhalla, Advocate
for the petitioner.

Mr. Shvetanshu Goel, Advocate
for the respondent.

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DEEPAK SIBAL, J. (Oral)

The present petition is directed against the order dated 12.07.2016 passed by the Civil Judge (Junior Division), Ludhiana, through which an application filed by the petitioner to lead additional evidence in the form of production of a certified copy of the decree dated 22.01.1988 passed in a civil suit titled as “Shivdev Singh versus Manjit Kaur” has been dismissed.

Learned counsel for the petitioner submitted that a similar application as filed in the present case had also been filed by the petitioner in another identical suit pending between the petitioner and his another brother Narinderjit Singh on the dismissal of which a revision petition had been preferred by the petitioner in this Court being **CR-5721-2016 – Satjit Singh versus Narinderjit Singh**, which was allowed by this Court on 26.02.2018. According to him, the aforesaid judgment passed by this Court squarely covers the issue in favour of the petitioner.

Learned counsel for the respondent very fairly admits that issue raised in the present petition is covered in favour of the petitioner by the afore-referred judgment of this Court dated 26.02.2018.

After having gone through the judgment passed by this Court in **Satjit Singh's case (supra)**, this Court is of the opinion that the same covers the petitioner's case in his favour. Accordingly, the impugned order is set aside and the application to place on record the judgment and decree dated 22.01.1988 passed in a civil suit titled as “Shivdev Singh versus Manjit Kaur” by way of additional evidence is allowed. However, the same is subject to payment of ₹5000/- as costs to be paid by the petitioner to the respondent.

The Trial Court shall ensure that the awarded costs ordered to be paid by the petitioner to the respondent is transferred to his bank account.

The present petition is allowed in the above terms.

(DEEPAK SIBAL)
JUDGE

September 17, 2019

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Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No