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

**CM No.24904-CII of 2019 in/and
Civil Revision No.8376 of 2015 (O&M)
Date of Decision: 05.12.2019**

Paramjit Kaur

.....Petitioner

Vs

Amarjit Singh and others

....Respondents

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

Present:Mr. P.S. Dhaliwal, Advocate
for the petitioner.

Mr. Sardavinder Goyal, Advocate
for the respondents.

RAJ MOHAN SINGH, J.

[1]. Petitioner has challenged the order dated 12.10.2015 passed by the Civil Judge (Junior Division) Barnala, vide which the application filed by her for leading additional evidence was dismissed.

[2]. Petitioner-Paramjit Kaur is one of the plaintiff amongst other plaintiffs namely Harbans Kaur, Sharanjit Kaur and Manjit Kaur. Plaintiff No.1 Harbans Kaur had already withdrawn the suit on 15.06.2010. Sharanjit Kaur has already appeared as plaintiffs' witness in the suit. Evidence of the plaintiffs was

closed on 01.03.2014. Thereafter, Sharanjit Kaur and Manjit Kaur (plaintiffs No.3 and 4 respectively) also got the suit dismissed as withdrawn to the extent of their entitlement vide order dated 28.05.2015.

[3]. Both the parties have already concluded their evidence. Petitioner being one of the plaintiff did not appear as witness, rather heavily relied upon the statement of Sharanjit Kaur, who had appeared as witness on behalf of the plaintiffs.

[4]. After withdrawal of suit by Sharanjit Kaur and Manjit Kaur on 28.05.2015, plaintiff/petitioner Paramjit Kaur filed an application under Section 151 CPC for recording her statement as additional evidence on 17.09.2015. It was observed by the trial Court that the statement got recorded by Sharanjit Kaur cannot be discarded and the evidence of Sharanjit Kaur will be read in evidence. The apprehension of the petitioner was found to be misconceived and the application was dismissed vide the impugned order dated 12.10.2015.

[5]. Plaintiffs were contended with the statement of Sharanjit Kaur in their evidence and they did not lead any other oral evidence. Evidence of the plaintiffs was closed on 01.03.2014. The apprehension of the plaintiff that after the withdrawal of the suit by Sharanjit Kaur and Manjit Kaur, the evidence of Sharanjit Kaur will not be read in plaintiffs' evidence,

was found to be misconceived by the trial Court while rejecting the prayer for examination of the petitioner by way of additional evidence. The order dated 01.03.2014 vide which the evidence of the plaintiffs was closed has not been assailed in this revision. Trial of the case has already reached at the fag end.

[6]. In view of aforesaid facts and in my considered opinion, there is no illegality and error of jurisdiction in the impugned order. This revision petition is found to be totally devoid of merits and is accordingly dismissed.

December 05, 2019

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Whether speaking/reasoned

Whether reportable

(RAJ MOHAN SINGH)
JUDGE

Yes/No

Yes/No