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

**Civil Revision No.1118 of 2019
Date of Decision: 15.02.2019**

SHAM SUNDER

.....Petitioner

Vs

PUNJAB NATIONAL BANK AND ANR

....Respondents

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

Present: Mr. Raman Goklaney, Advocate
for the petitioner.

RAJ MOHAN SINGH, J. (Oral)

[1]. Petitioner has preferred this revision petition against the order dated 31.01.2019 passed by the Civil Judge (Jr. Divn.) Faridkot, vide which the application for leading additional evidence was dismissed.

[2]. Perusal of the record would show that a suit for declaration to the effect that the plaintiff is entitled to promotion from MMG-III to SMG-IV on the basis of interview and with effect from the date, the said promotion has been granted to other employees with all consequential service benefits. Plaintiff further claimed that order of rejection of appeal is wrong, illegal, null and void. The said order is against the principles of natural

justice and is not binding upon the rights of the plaintiff.

[3]. The subject matter of additional evidence in the context of some different post of Auditor has nothing to do with the original claim for which the suit has been filed by the plaintiff. The Court can take cognizance in respect of claim made by the plaintiff that too in respect of his entitlement for promotion to the post of SMG-IV. By way of application for additional evidence, plaintiff seeks to allege that the defendant-Bank advertised certain posts of Auditors. Plaintiff has also applied for one of the post, but his candidature was declined owing to his some activities.

[4]. The rejection of the candidature of the petitioner for the post of Auditor in my considered opinion has no connectivity with the subject matter of suit. The trial Court has rightly concluded that the application for additional evidence has no foundation in terms of pleadings in the suit and the same is beyond the scope of subject matter of suit.

[5]. In view of above, no indulgence can be granted in this revision petition. This revision petition is accordingly dismissed.

February 15, 2019

Atik

Whether speaking/reasoned

Whether reportable

(RAJ MOHAN SINGH)
JUDGE

Yes/No

Yes/No