

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

CR-3495-2019 (O&M)
Date of decision: 27.05.2019

Smt. Murti Devi

...Petitioner

Versus

Suresh Kumr

...Respondent

CORAM: HON'BLE MR.JUSTICE H.S. MADAAN

Present: Mr. Abhimanyu Singh, Advocate for the petitioner.

H.S. MADAAN, J. (Oral)

This revision petition is directed against order dated 08.01.2019, passed by Addl. District Judge, Bhiwani, vide which, an application filed by the plaintiff for seeking permission to lead secondary evidence by way of producing documents has been allowed.

I have heard learned counsel for the revisionist and gone through the impugned order and I do not find any illegality or infirmity therein. The plaintiff had filed a suit for possession through specific performance of contract dated 09.05.2008 in respect of the suit land against the defendant seeking decree for recovery of amount in the alternative and also praying for consequential relief of permanent injunction. That suit was dismissed by the trial Court, vide judgment and decree dated 16.09.2015. The present defendant had filed a revision petition before the Court of Sessions, challenging the order passed by JMIC, Bhiwani. The revision had been dismissed. The

plaintiff wanted to produce in defence copy of order passed in the revision petition to show his possession, stating that the order was not in existence when the civil suit was decided by the trial Court. The respondent/defendant opposed the application. The trial Court allowed the application filed by the petitioner/plaintiff for placing on record the copy of order dated 04.05.2016, passed by the revisional Court, directing him to place on record certified copy of order dated 04.05.2016 with the observations that the respondent/defendant could take objection with regard to admissibility/relevancy of said document for the purpose of decision of the appeal. The order is certainly not perverse or arbitrary and it does not suffer from any illegality or infirmity, much less apparent on the face of it, which might have called for interference by this Court, while exercising revisional jurisdiction. Thus, finding no merit in the revision petition, the same stands dismissed.

27.05.2019

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(H.S. MADAAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No