

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

CR-6188-2019 (O&M)

Date of decision:- 27.9.2019.

Smt. Sadhvi Saini and another

...Petitioners.

Versus

Anil Goyal and others

...Respondents.

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present:- Mr. Jasbir Singh Ahlawat, Advocate for the petitioners.

RITU BAHRI J. (Oral)

Petitioners have come up in the present revision against the order dated 26.8.2019 passed by learned Additional Civil Judge (Senior Division), Panchkula whereby an application filed by defendants No. 1 and 2 for directing the Deputy Superintendent of Police, Kalka to produce on Court the record of the original alleged agreement dated 30.5.2015 and alleged receipt-cum-agreement dated 31.5.2015 and alleged receipt dated 29.6.2015 has been dismissed.

After going through the impugned order, it transpires that with regard to the same documents, a complaint has been lodged by defendants with the police and the said documents have been taken into possession by the police from the custody of the plaintiffs. Plaintiffs have filed a suit for possession. It is claimed that these documents and photostat copies of the documents are already part of the trial Court record. At this stage application has rightly been rejected as the onus is on the plaintiffs to prove these documents. Since the photocopies of the documents are already on record, the defendants can file their written statements and take up their stand as they were the complainants in the

complaint made to the police.

At this stage, no interference is called for in the impugned order dated 26.8.2019 passed by learned Additional Civil Judge (Senior Division), Panchkula.

Revision stands dismissed. However, liberty is granted to the defendants to file their written statements and thereafter the trial Court can proceed with the matter.

27.09.2019
preeti

(RITU BAHRI)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No