

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

**CR No.7892 of 2019(O&M)
Date of Decision: 09.12.2019**

Hanifan and another

.....Petitioners

Versus

Paramjit Kaur

.....Respondent

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

Present:Mr. Jai Bhagwan, Advocate
for the petitioners.

RAJ MOHAN SINGH, J.(Oral)

[1]. Perusal of the impugned order would show that the document Ex.P-1 has been objected to on the ground of mode of proof. Defendants have denied the execution of agreement to sell.

[2]. It is a settled proposition of law that mere exhibition of document does not dispense with its proof of execution. If the execution of agreement to sell is proved with reference to evidence to be led by the plaintiff(s), the same can be relied upon by the trial Court. If the execution is not proved, the same can be eschewed by the trial Court. Holding up the trial at this stage has been held to be an *archaic* practice in view of ratio

laid down in **Bipin Shantilal Panchal Vs. State of Gujarat, 2001(1) RCR (Criminal) 859.**

[3]. In my considered opinion, the objections raised by the petitioners on the ground of mode of proof shall be gone into by the trial Court at the appropriate stage. There is no error of jurisdiction in the impugned order.

[4]. For the reasons recorded hereinabove, the position is explained and this revision petition is disposed of accordingly.

09.12.2019

Prince

**(RAJ MOHAN SINGH)
JUDGE**

Whether reasoned/speaking

Yes/No

Whether reportable

Yes/No