

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

CR-7670-2019

Date of decision:-2.12.2019

Amrit Lal

...Petitioner

Versus

Harminder Singh and others

...Respondents

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

Present: Mr.A.S. Jawandha, Advocate
for the petitioner.

H.S. MADAAN, J.

In a suit for permanent injunction, defendant – Amritpal Singh had filed an application for additional evidence to place on record the certified copy of plaint, written statement and order dated 12.9.2019. That application was dismissed by the trial Court of Additional Civil Judge (Sr.Divn.), Sangrur vide order dated 18.11.2019. The defendant has challenged that order by way of filing the present revision petition.

I have heard learned counsel for the revisionist besides going through the record and I find that there is absolutely no merit in the revision petition.

The impugned order is quite detailed and well reasoned. It is

specifically mentioned in the order that the defendants had led their entire evidence by availing numerous opportunities and on 20.9.2019 counsel for the defendants had closed the oral evidence of the defendants by making a statement and the case was fixed for 25.9.2019 for documentary evidence. On that date, the counsel for the defendants had tendered the documents and closed evidence of the defendants. Thereafter, the case was fixed for 27.9.2019 for rebuttal evidence. Furthermore, the documents mentioned in the application were in existence at the time when the counsel for the defendants closed oral evidence as well as documentary evidence of defendants.. Under the circumstances, the application was declined.

I find that the application do not comes within four corners of Order 18 Rule 17-A CPC which deals with additional evidence.

The order passed by the trial Court does not suffer from any illegality or illegality much less the same being perverse or arbitrary. No ground to interfere in the order is made out by way of exercising revisional jurisdiction.

Thus, finding no merit in the civil revision petition, the same stands dismissed.

2.12.2019
Brij

(H.S.MADAAN)
JUDGE

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No