

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

**C. R No. 8194 of 2019
Date of decision : 19.12.2019**

Shashi Bala

....Petitioner

versus

Pardeep Kumar alias Deep Kumar

...Respondent

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Sunil Agnihotri, Advocate
for the petitioner.

RITU BAHRI, J. (Oral)

Challenge in this petition is to order dated 22.11.2019 (P-5) passed by learned Addl. Civil Judge (Sr. Divn.), Mukerian, District Hoshiarpur, vide which the application for leading evidence, has been dismissed.

The petitioner filed a suit for joint possession by way of specific performance of agreement to sell dated 25.03.2013 of the land measuring 08 kanals 17 marlas out of land measuring 106 kanals 7 marlas. The respondent/defendant has been recorded as joint owner in possession of the land fully detailed as described in the head note of the plaint, situated in village Chhanna Rai Ide Khan H.B.No. 314 Tehsil Mukerian, District Hoshiarpur.

Since the respondent/defendant denied the execution of agreement to sell dated 25.03.2013, therefore, during his cross examination, the petitioner wants to examine the concerned clerk i.e Ashwani Bhardwaj

of the Treasury Officer, Dharamshala near Hanuman Temple, Kachehri Tehsil along with record of issuance of five rupees stamp paper, as the agreement to sell dated 25.03.2013 has been scribed on above mentioned five rupees stamp paper.

Since the main dispute is with regard to agreement to sell dated 25.03.2013, order dated 22.11.2019 (P-5) is hereby set aside and direction is given to the trial Court to give one effective opportunity to the petitioner to examine Mr. Ashwani Bhardwaj of the Treasury Officer, Dharamshala, subject to deposit of Rs.3000/- as costs which is to be deposited before the District Legal Services Authority, Hoshiarpur.

19.12.2019

G.Arora

(RITU BAHRI)**JUDGE**

Whether speaking/reasoned
Whether reportable

Yes
No