

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

CR-4534-2018(O&M)

Date of decision: 29.01.2020

Roop Chand

.....Petitioner

Versus

Darshan Singh and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr.C.M.Munjal, Advocate for the petitioner

ANIL KSHETARPAL, J. (ORAL)

The plaintiff-petitioner has filed the present revision petition challenging the order dated 3.7.2018 passed by learned Additional Civil Judge (Sr. Division) Phool refusing permission to the petitioner to place on file a copy of the jamabandi for the year 2016-17, which is per se admissible.

Learned counsel for the petitioner submits that the plaintiff has filed a suit for possession of land measuring 1 kanal 2 marlas. He submits that during the pendency of the suit, revenue authorities have partitioned the joint/un-partitioned property and the land in dispute fell to his share. He submits that the revenue record i.e jamabandi for the year 2016-17 is sought to be produced on file to establish/prove the aforesaid facts.

Learned Trial Court has dismissed the application on the ground that once the evidence has been closed and the case is now fixed for arguments, application cannot be allowed.

In the considered view of this Court, learned Trial Court has taken a narrow view. Rules of procedure are meant to advance the

course of justice and not to scuttle it. Copy of jamabandi is per se admissible. The plaintiff only wants to draw attention of the Court to subsequent development which are alleged to have taken place during the pendency of the suit. Copy of revenue record would help the Court in adjudicating the dispute effectively.

Keeping in view the aforesaid facts, the order dated 3.7.2018 is set aside. Copy of jamabandi shall be permitted to be placed on file. Needless to observe that a counter opportunity shall also be required to be granted to the defendant.

Petition stands allowed.

29.01.2020

rekha

Whether speaking/reasoned

Whether Reportable

(ANIL KSHETARPAL)

JUDGE

Yes / No

Yes / No