

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

CR No. 730 of 2020

Date of Decision: 3.2.2020

Pawan Kumar

...Petitioner

Vs.

Amteshwar Singh through his LR and others

...Respondents

CORAM:- HON'BLE MR.JUSTICE RAJIV NARAIN RAINA

Present: Mr. Shvetanshu Goel, Advocate for the petitioner.

RAJIV NARAIN RAINA, J. (Oral)

The trial Court in its order dated 15.11.2019 has committed no error in disallowing application for recalling DW-3 Vijay Bhatia for production of document which is a hand-written receipt placed with the application. Even after the testimony of Vijay Bhatia was closed by order with plaintiff cross-examining the witness, the trial Court has observed that the alleged document was not even brought on record in the evidence of other witnesses during their examination, nor was the document mentioned or attached with the written statement, and, therefore, the prayer had to be turned down. When Vijay Bhatia was being examined, the defendant was at liberty to tender the document in evidence. He has lost that opportunity. Any other document in the nature relied on will inevitably spark off a parallel trial, requests for production of handwriting expert etc. which cannot be allowed at the stage the suit stands.

The order is perfectly justified. No ground for interference is made out. The petition is dismissed.

3.2.2020

kv

Whether speaking/reasoned

:

Yes/No

Whether reportable

:

Yes/No

**(RAJIV NARAIN RAINA)
JUDGE**