

**S.No.120**

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

\*\*\*\*

**CR No.1060 of 2020**

**Date of Decision:13.02.2020**

**Shambhu Dutt**

**.....Petitioner**

**Vs.**

**Tara Chand and others**

**.....Respondents**

**CORAM:- HON'BLE MR. JUSTICE RAJBIR SEHRAWAT**

Present:- Mr. Deepak Girotra, Advocate for the petitioner.

\*\*\*\*

**Rajbir Sehrawat, J.(Oral)**

The present petition has been filed by the petitioner praying for setting aside order dated 06.02.2020; whereby; his application for allowing the petitioner to produce and exhibit attested copies of the revenue documents, i.e. jamabandi and mutation; was dismissed by Additional Civil Judge (Senior Division), Rohtak.

It is contended by counsel for the petitioner that its a suit for partition and there are so many defendants. Therefore, out of confusion, the documents sought to be placed on record through the application; could not be led in evidence earlier. Still further, it is submitted that the jamabandies and the mutation; which are sought to be produced on record now, are necessary for proper decision of the case. Hence, it is submitted that the impugned order be set aside and the petitioner be granted opportunity to place on record the documents mentioned in the application.

Having heard learned counsel for the petitioner and having perused the file, this Court does not find any substance in the argument of the learned counsel for the petitioner. It is not disputed that the evidence of the petitioner already stood closed by order of the Trial Court. The said

order has already become final because it was not challenged any further. Therefore, after order of closure of the evidence of the petitioner, he cannot be permitted to place on record the documents as he has sought to produce. Needless to say that even his application before the trial Court was not for leading additional evidence as per the relevant provisions of CPC; rather, he has filed application under Section 151 CPC, to produce the documents as part of original evidence only. However, as mentioned above, the evidence of the petitioner already stood closed.

Still further, the Lower Appellate Court has rightly recorded that the petitioner had sufficient opportunities to lead the documentary evidence before the order of closure of the evidence was passed by the Court below.

In view of the above; finding no illegality with the order passed by the Court below, the present revision petition is dismissed.

**February 13, 2020**  
**renu**

**( RAJBIR SEHRAWAT )**  
**JUDGE**

|                           |        |
|---------------------------|--------|
| Whether Speaking/reasoned | Yes/No |
| Whether Reportable        | Yes/No |