

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

CR No.1477 of 2020

Date of decision: 2nd March, 2020

Balwinder Kaur

... Petitioner

Versus

Rajwant Kaur

... Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. Amit Arora, Advocate for the petitioner.

FATEH DEEP SINGH, J.

In a suit for grant of decree for declaration challenging the sale deed dated 02.09.2013 registered on 06.09.2013 in respect of certain agricultural land detailed in the head note and during the course of rebuttal and arguments, the plaintiff (present petitioner) Balwinder Kaur moved an application for leading additional evidence to enable her to examine one of the attesting witnesses of the sale deed in question which application stood dismissed by the Court of learned Addl. Civil Judge (Senior Division), Tarn Taran vide impugned orders dated 19.12.2019. The same is subject matter of challenge in the present revision petition.

Upon hearing Mr. Amit Arora, Advocate for the petitioner and perusing the records of the case.

Admittedly, at the very onset of filing of the suit by the plaintiff the sale deed was set up regarding which declaratory decree was being sought and thus, the plaintiff petitioner was well aware of the fact having relied on this document and was under obligation to prove the same in accordance with law which apparently she failed to do so. Rather by the application for additional evidence, the petitioner is trying to fill in the lacuna left in her evidence and which is not the purpose for which the provisions have been enacted. The Court below has rightly held it so and correctly dismissed the application. There being no merit, the present revision petition stands dismissed.

(FATEH DEEP SINGH)
JUDGE

March 2, 2020
rps

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No