

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

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CR-295-2021 (O&M)

Date of decision : 17.02.2021

Tarsem Chand

.....Petitioner

Vs.

M/s Chaman Lal and Sons and Another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE ALKA SARIN

Present: Mr. Gaurav Singla, Advocate for the petitioner.

ALKA SARIN, J. (ORAL)

Heard through video conferencing.

The present civil revision has been preferred under Article 227 of the Constitution of India for setting aside the impugned order dated 28.01.2021 (Annexure P-1) passed by the Additional Civil Judge (Senior Division), Sunam, District Sangrur allowing the application of the plaintiff-respondent seeking permission to annex the remaining pages of the income tax returns of his firm for the year 2015-16, as an additional evidence.

Learned counsel for the petitioner would contend that though the documents sought to be appended were the remaining pages of the income tax return, however, what has been appended are the audited accounts of the firm.

I have heard learned counsel for the petitioner.

In the present case, the plaintiff-respondent has filed a suit for recovery of Rs.10,48,125/- (the amount of pesticide medicines Rs.7,50,000/- + Rs.2,98,125 as interest at the rate of 18% per annum from 15.07.2014 till 30.09.2016) on 01.10.2016. The plaintiff-respondent in his evidence produced the income tax return of the firm for

the year 2015-16 as Exhibit P-2. However, only the first page of his returns was appended and he failed to append the remaining pages inadvertently. An application was moved for production of additional evidence on 04.02.2020 seeking permission to append the remaining pages of the income tax returns of his firm for the year 2015-2016. Reply to the application was filed. Vide impugned order dated 28.01.2021 the said application was allowed by passing a reasoned order. A perusal of the impugned order reveals that the reasoning given by the Additional Civil Judge (Senior Division), Sunam cannot be faulted with. The income tax returns, which have now been filed as additional evidence, are the audited returns which the Court has stated would help for proper adjudication of the matter in hand.

In view of the above, I do not find any ground to interfere in the well reasoned order passed by the Additional Civil Judge (Senior Division) Sunam, District Sangrur.

Dismissed.

February 17, 2021

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(ALKA SARIN)

JUDGE

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: Yes/No