

In the High Court of Punjab and Haryana, at Chandigarh

Civil Revision No. 2081 of 2021

Date of Decision: 23.09.2021

Meenakshi

... Petitioner(s)

Versus

Pawanpreet Kaur

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.

Present: Mr. Rajesh Sethi, Advocate
for the petitioner(s).

Anil Kshetarpal, J.

1. The defendant assails the correctness of the order passed by the trial Court on 04.08.2021 while rejecting her application under Order VII Rule 14 CPC for seeking direction to the plaintiff to produce the original agreement to sell on which the suit is based.

2. The learned trial Court has observed that a photocopy of the agreement to sell has already been produced and as per the provisions of Order XIII Rule 1 CPC, the party shall produce the document on or before the settlement of the issues.

3. The learned counsel representing the petitioner contends that the agreement to sell was cancelled and destroyed. Therefore, it is necessary for the defendant to examine the same before filing the written statement

4. Keeping in view the facts of the case, the revision petition is disposed of with liberty to the petitioner(defendant) to file an application

Before the trial Court to direct the plaintiff to produce the document in

original for inspection of the defendant. The Court will decide such an application in accordance with law. If the application is allowed, the Court will ensure that the document is permitted to be inspected in the presence of the Presiding Judge of the Court and if any attempt is made by the defendant to cause damage to the document, adverse inference shall be drawn against him.

(Anil Kshetarpal)
Judge

September 23, 2021
“DK”

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