

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

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**Civil Revision No.3264 of 2021
Date of decision:14.12.2021**

Avtar Singh

...Petitioner

Versus

Mehndi Hassan

...Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

**Present: Mr. Sham Lal Bhalla, Advocate,
for the petitioner.**

ANIL KSHETARPAL, J (Oral)

The petitioner is a defendant in a suit for grant of decree of permanent injunction restraining the defendant, his agents and servants from interfering in the peaceful possession of the plaintiff over the suit property.

The learned trial court has permitted the plaintiff to lead secondary evidence regarding the agreement to sell dated 05.04.2018, allegedly executed between Gurmeet Kaur and the petitioner-Avtar Singh.

The learned counsel representing the petitioner contends that such an agreement to sell is beyond the pleadings and therefore, cannot be permitted. While allowing the application for permission to lead secondary evidence, the Court has only permitted the documents to be proved by leading secondary evidence with respect to due proof of its existence and its subsequent, loss. If such a document is beyond the scope of the suit, the court while finally deciding the case, will ignore the same.

However, at this stage, no ground to interfere, with the order in question, is made out.

Dismissed.

All the pending miscellaneous applications, if any, are also disposed of.

December 14, 2021
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(ANIL KSHETARPAL)
JUDGE

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