

In the High Court of Punjab and Haryana, at Chandigarh

Civil Revision No. 1688 of 2016 (O&M)

Date of Decision: 22.07.2022

Shri Vaish Aggarwal Panchayat (Registered) Thanesar

... Petitioner(s)

Versus

Inder Kumar and Others

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.

Present: Mr. Jagdish Manchanda, Advocate
for the petitioner(s).

Mrs. Munisha Gandhi, Senior Advocate
with Mr. Munish Mittal and Ms. Salina Chalana
Advocates, for the respondent No.1 and 2.

Anil Kshetarpal, J.

1. A small dispute has come to this Court. The petitioner is a plaintiff in the suit for grant of decree of declaration claiming to be the owner of the property pursuant to two gift deeds dated 05.03.1997 and 06.03.1997 executed by Ved Parkash and Banarsi Dass, respectively. In a separate suit for specific performance of the agreement to sell, the plaintiff was not a party. The agreement to sell, so executed, was put in a sealed cover. The suit for specific performance of the agreement to sell stands decided. The plaintiff has filed an application for permission to inspect the document which has been put in a sealed cover. The learned trial Court has refused to open the same on the ground that it was sealed in some other suit.

2. Heard the learned counsel representing the parties and with their able assistance, perused the paper-book.

3. The learned senior counsel representing the respondent No.1 and 2 submits that as per Chapter 5-B of Volume V of the High Court Rules and Orders, the copies of the exhibits cannot be given to a stranger.

4. The plaintiff does not press for supply of the original documents. He has only requested the Court to de-seal the envelope and allow him to examine the document contained therein. There is no bar in ordering so even if the document was sealed in an already decided suit.

5. With the observations made above, the present revision petition is allowed and the order, under challenge, is set aside. The trial Court is directed to open the sealed envelope and allow the plaintiff to get it examined from the Handwriting and Fingerprint Expert. It is directed that the learned trial Court shall ensure that the concerned document is neither tampered with nor interpolated.

6. The miscellaneous application(s) pending, if any, shall stand disposed of.

(Anil Kshetarpal)
Judge

July 22, 2022
“DK”

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No