

In the High Court of Punjab and Haryana, at Chandigarh

Civil Revision No. 1945 of 2016

Date of Decision: 22.07.2022

Parveen Kumar

... Petitioner(s)

Versus

Sandeep Kumar

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.

Present: Mr. Kunal Mulwani, Advocate
for the petitioner(s).

None for the respondent.

Anil Kshetarpal, J.

1. In a suit for recovery of the amount on the basis of a pronote and receipt, an application for permission to lead the secondary evidence to prove the photocopies of the documents has been allowed by the learned trial Court. The defendant assails its correctness.

2. The learned counsel representing the petitioner contends that without proving the existence of the documents and its loss, the secondary evidence could not be led.

3. Recently, in a large number of judgments, the Supreme Court, Bombay High Court and this Court have concluded that there is no necessity of filing an application for seeking prior permission of the Court for leading the secondary evidence.

4. Keeping in view the aforesaid facts, the present revision petition is disposed of with the observation that the trial Court shall

critically analyze the evidence led and thereafter, form an opinion, in
accordance with law.

(Anil Kshetarpal)
Judge

July 22, 2022
“DK”

Whether speaking/reasoned :Yes/No

Whether reportable : Yes/No