

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

203

**Civil Revision No.2304-2018 (O & M)
Date of Decision : 27.04.2022**

Brij Lal

....Petitioner

V/S

Shiv Kumar and others

...Respondents

CORAM : HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr.Shashi Kant Gupta, Advocate
for the petitioner

Mr.Himanshu Sharma, Advocate for
Mr.Rajnessh Chadwal, Advocate
for the respondents

ANIL KSHETARPAL, J (ORAL)

While assailing the correctness of the interlocutory order passed by the Civil Judge (Junior Division), Narnaul, dated 19.03.2018, defendant No.13 has filed the present revision petition.

The application filed by the petitioner for permission to lead evidence in order to prove the alleged affidavit dated 02.07.2003 has been dismissed.

The Court has recorded that the petitioner was in knowledge of the aforesaid document as the same was produced by the defendant and marked as Mark A. Learned counsel representing the petitioner had cross examined the witness with respect to the aforesaid affidavit. Thus, the Court affirmed that the petitioner was in knowledge of the affidavit.

Learned counsel representing the petitioner contends that the aforesaid affidavit is necessary and therefore he be permitted to produce the additional evidence.

It is evident that the suit is pending for the last 7 years. The additional evidence sought to be produced was in the knowledge of the

In view thereof, no ground to interfere with the discretion exercised by the trial court. However, the petitioner shall have liberty to challenge the correctness of the impugned order while filing an appeal against the impugned judgment in terms of Order 43 Rule 1-A of the Code of Civil Procedure, 1908.

Dismissed.

(ANIL KSHETARPAL)
JUDGE

27.04.2022

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