

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

106

**CR-242 of 2018(O&M)
Date of decision: 13.07.2022**

Vinod Kumar

...Petitioner

Versus

Phoola Devi and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

**Present: Mr. Ajay Vijarania, Advocate,
for the petitioner.**

ANIL KSHETARPAL, J (Oral)

The plaintiff in a suit for grant of decree of specific performance of the agreement to sell is the petitioner herein. An application filed by the defendants for permission to lead additional evidence in order to examine Sh. M.P.Saini, Advocate and Sh. Bhup Singh, Stamp Vendor has been allowed. The court has found that such evidence shall be necessary and likely to assist the court in the proper adjudication of the case.

The learned counsel representing the petitioner contends that the aforesaid evidence was in the knowledge of the defendants, therefore, the application could not be allowed.

It is not in dispute that the application for permission to lead additional evidence was filed by the defendants within a period of one month from the date their evidence was closed. In any case, once the court has found that the evidence sought to be produced, is likely to help the court in proper adjudication of the case, this Court while exercising jurisdiction under Article 227 of the Constitution of India, does not find it appropriate to interfere.

Hence, dismissed.

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

July 13, 2022
nt

(ANIL KSHETARPAL)
JUDGE

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