

In the High Court of Punjab and Haryana, at Chandigarh

Civil Revision No. 3781 of 2017 (O&M)

Date of Decision: 10.11.2022

Gurmeet Singh

... Petitioner(s)

Versus

Nirmal Singh and Another

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.

Present: Mr. Ravish Bansal, Advocate
for the petitioner(s).

Mr. Pranav Chadha, Advocate
for the respondent No.2.

Anil Kshetarpal, J.

1. The learned counsel representing the petitioner submits that the trial Court has erred in recalling two witnesses of the plaintiff who have already appeared in evidence. He submits that previously, the aforesaid two witnesses were confronted with photocopy of the earlier agreements to sell, but they have denied the execution of those agreements and refused to identify their signatures as the documents confronted with were photocopies. Subsequently, an application for permission to lead secondary evidence in order to prove the alleged previous agreements, has been allowed.

2. Now, vide impugned order dated 01.05.2017, the trial Court has permitted the defendants to recall PW.1-Sh.Jaswant Singh and PW.2-Sh.Gurmeet Singh. Sh.Gurmeet Singh is the plaintiff. From the perusal of

the photocopy of the alleged agreements to sell, it is evident that Sh.Gurmeet

Singh has, allegedly, signed the aforesaid documents. Once the aforesaid documents have been permitted to be proved by leading secondary evidence, then, the witnesses, who have allegedly signed the same, are required to be confronted with those documents.

3. Keeping in view the aforesaid facts, no ground is made out to interfere. Hence, the present revision petition is dismissed.

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

(Anil Kshetarpal)
Judge

November 10, 2022
“DK”

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No