

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

CR 5399 of 2018 (O&M)

Date of Decision: April 01, 2022

Malkit Kaur @ Yadwinder Kaur ...Petitioner

Versus

Tej Kaur and others

... Respondents

CORAM : HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present : Mr. S.K. Manchanda, Advocate
for the petitioner.

Mr. Abhinav Singla, Advocate
for respondent No.3.

FATEH DEEP SINGH, J. (Oral)

A civil suit titled as **“Tej Kaur Vs. Smt. Balvir Kaur
and others”** for declaration regarding ownership and
possession of a land property detailed in the head note of the
plaint was pending in the Court of Civil Judge (Sr. Division)
Budhlada, District Mansa.

It is thereafter an application for permission to lead
additional evidence (Annexure P-2) was moved by Tej Kaur

seeking an opportunity to prove jamabandi for the year 1957-58.

The Court vide order dated 30.07.2018 allowed the application on the grounds that the document so sought to be proved would be helpful in arriving at a justice of the case. It is against this very order, the present petitioner Malkit Kaur @ Yadwinder Kaur has come up in this instant revision petition.

Upon hearing Mr. S.K. Manchanda, Advocate for the petitioner and Mr. Abhinav Singla, Advocate for the respondent No. 3 and perusal of the records.

The parties are at loggerheads over ownership and possession of agricultural land, which is approximately around 364 Kanal 12 Marlas, thus, a massive chunk of land. The respondent/applicant had only sought permission to tender copy of jamabandi for the year 1957-58 pertaining to consolidation period and which the Court below considering it to be a vital evidence to assist it in coming to a justifiable and judicious decision had allowed the application.

To the specific query of this Court what prejudice

has come about to the petitioner to invoke the jurisdiction of this Court when the trial Court has clearly in its impugned order has held that being a vital piece of evidence it would be helpful in coming at a just decision. The petitioner at the most if feels the need to rebut such a revenue document which is *per se* admissible is at liberty to take recourse of law by leading evidence to rebut such a evidence.

The learned Court below has given a well reasoned and justifiable order aiming at dispensation of justice to the parties.

Apparently, there is no merit in the instant petition and the same stands dismissed.

April 01, 2022
amit rana

(FATEH DEEP SINGH)
JUDGE

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