

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

106

**CR-5547 of 2017(O&M)
Date of Order: 05.05.2022**

Balbir Singh

..Petitioner

Versus

Bhupinder Singh and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Kamal Chaudhary, Advocate, for the petitioner.
Mr. Akshay Jindal, Advocate,
for respondent no.1,6, 7 and 9.

ANIL KSHETARPAL, J(Oral)

The plaintiff assails the correctness of interlocutory order passed by the Civil Judge (Jr. Divn.), Kalka, while dismissing an application to conduct DNA test in order to prove his relationship with defendant no.6 and 9, at the stage of rebuttal evidence. The previous application filed by the plaintiff for the same relief was dismissed on 03.08.2016. Furthermore, the scope of rebuttal evidence is limited to the issues, onus whereof was on the defendant. The suit is also with respect to immovable property.

The learned counsel representing the petitioner failed to put forth any convincing arguments to prove that the evidence sought to be led falls within the scope of rebuttal evidence.

Dismissed.

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

May 05, 2022

nt

**(ANIL KSHETARPAL)
JUDGE**

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