

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

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**CR No. 6486 of 2017
Date of decision : 10.8.2022**

Rupinder Singh

.....Petitioner

Vs.

Kuldeep Singh and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. A.S. Gulati, Advocate, for the petitioner

Mr. Vishal Aggarwal, Advocate, for respondent No. 1

ANIL KSHETARPAL, J. (Oral)

The petitioner (defendant No.1A) in a suit for grant of decree of declaration alleges that the Will dated 26.8.2003 allegedly executed by late Sh. Mela Singh in favour of Narender Pal Singh is forged and fabricated document.

His prayer for permitting the production of copy of *jamabandi*, *khasra girdawari* and a previous order of the Court in a separate suit, in additional evidence has been declined. The suit is still pending. Most of the documents sought to be produced are per se admissible. The trial Court has declined to grant permission on the ground that the petitioner failed to bring on record any circumstance showing his inability to produce the evidence previously.

Heard the learned counsel representing the parties at length and with their able assistance perused the paper book.

It is a well settled principle that the rules of procedure are for advancing the cause of justice, rather than impeding it. While deciding the cases, the Court is required to make a sincere attempt for doing substantive

justice between the parties while following the procedural law. In absence of specific bar, the Court should be lenient in permitting the parties to produce the documentary evidence, which is per se admissible.

Hence, the revision petition is allowed. The order under challenge is set aside. The petitioner shall be permitted to produce the documents in additional evidence.

(ANIL KSHETARPAL)
JUDGE

10.8.2022

Ashwani

Whether Speaking/Reasoned	:	Yes/No
Whether Reportable	:	Yes/No