

In the High Court of Punjab and Haryana, at Chandigarh

Civil Revision No. 6460 of 2018 (O&M)

Date of Decision: 27.09.2022

Vishal Garg and Another

... Petitioner(s)

Versus

Shiv Jyoti Shiksha Samiti (Registered) and Others

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.

Present: Mr. Ashwani Kumar Chopra, Senior Advocate
with Mr. Abhay Nanda, Advocate
for the petitioner(s).

Mr. Namit Khurana, Advocate
for the respondent No.1 and 2.

Mr. Shantanu Sharma, Advocate
for Mr. M.S.Khillan, Advocate
for the respondent No.3.

Mr. R.C.Gupta, Advocate
for the respondent No.6

Anil Kshetarpal, J.

1. The trial Court, while refusing to de-exhibit the alleged agreement to sell dated 30.12.2008, has directed the defendant No.3 to 5 to produce its original on the record of the case. The correctness of the aforesaid order has been challenged before this Court. It would be noted here that the first application for directing the defendant No. 3 to 5 to produce the original agreement to sell was dismissed, however, by a subsequent order, the Court below has directed the defendants to produce the original agreement on record.

Heard the learned counsel representing the parties, at length and

with their able assistance, perused the paper-book.

3. The learned senior counsel representing the petitioners apprehends that mere exhibition of the document is sought to be treated as the proof of the same. He submits that exhibition of the document is only admitting the document in evidence, subject to the evidence to prove the same.

4. It is well settled that mere exhibition of the document is subject to evidence of proof of the document in accordance with law. Mere exhibition is not synonym with the expression “proved”. The learned counsel representing the respondents have no dispute to the aforesaid facts.

5. Keeping in view the aforesaid facts, the present revision petition is disposed of.

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

(Anil Kshetarpal)
Judge

September 27, 2022
“DK”

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No