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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CR No.8650 of 2014 (O&M)

Date of decision: 23.08.2022

Surinder Singh @ Surinder Singh Gill

....Petitioner

Versus

Baltej Singh

....Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Saurabh Arora, Advocate
for the petitioner.

Mr. B.S. Bhalla, Advocate
for the respondent.

ARVIND SINGH SANGWAN J. (Oral)

Prayer in this petition is for setting-aside the order dated 06.10.2014 passed by the trial Court vide which the application filed by the respondent/plaintiff for leading secondary evidence to prove a writing dated 27.01.2006 was allowed.

While issuing notice of motion on 22.12.2014, it was observed that since the plaintiff has failed to prove that a notice was given under Section 66 of the Indian Evidence Act, it will be a debatable issue whether the permission to lead secondary evidence can be granted and further proceedings before the trial Court were stayed. Later on, the order was modified on 11.10.2017 that the proceedings will continue, however, any evidence adduce by the respondent/plaintiff to prove the writing dated 27.01.2006 will be subject to outcome of the present case.

It is admitted position that the plaintiff's evidence stands

concluded as on today.

In view of the above, the present petition is disposed of with a direction to the trial Court to decide afresh the admissibility of the writing dated 27.01.2006, at the time of final disposal of the suit.

(ARVIND SINGH SANGWAN)
JUDGE

23.08.2022
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No