

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

**CR No.882 of 2022 (O&M)
Date of Decision: 23.03.2022**

Kamla

.....Revisionist-petitioner.

Versus

Salochna Devi and another

.....Respondents.

CORAM: *HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA*

Present:- Mr. Ajay Jain, Advocate
 for the revisionist-petitioner.

MEENAKSHI I. MEHTA, J.

Feeling aggrieved by the order dated 03.03.2020 handed down by the Civil Judge (Junior Division), Hisar (for short 'the trial Court') whereby the second application moved by the petitioner-plaintiff for seeking permission to lead additional evidence by way of producing the copies of Khasra-Girdawri for the period from 05.10.1997 to the year 2002, the demarcation report, statements of the bank accounts and Jamabandis for the years 2016-17 and 1962-63, has been dismissed, she has chosen to prefer the instant revision petition.

I have heard learned counsel for the petitioner in the present petition and have perused the file carefully.

As per the brief factual-matrix leading to the filing of this revision petition, the petitioner has filed a Civil Suit against the respondents-defendants for seeking a decree for declaration to the effect

that she is owner in possession of the suit land on the basis of the release-deed dated 18.05.2015 as executed by her Uncle named Lakhi in her favour but respondent-defendant No.1, in collusion with respondent-defendant No.2, has fraudulently got her own name mentioned in the said document. The petitioner moved the application Annexure P-4 for seeking permission to lead additional evidence by producing the above-said documents on the record which has been dismissed vide the impugned order.

Learned counsel for the petitioner contends that the aforementioned documents are relevant, material and necessary for proper decision of the said Civil Suit but the same could not be produced and proved on the record earlier and therefore, the impugned order passed by the trial Court qua the dismissal of the afore-said application is illegal and is liable to be set-aside.

However, I do not find any merit in the afore-raised contention because as specifically mentioned in the impugned order itself, the petitioner had moved an application earlier also for seeking permission to lead additional evidence which had been allowed. Throughout in her second application, i.e Annexure P-4, the petitioner has not advanced any cogent and justifiable reason for not producing the said documents, except the demarcation report, on the record earlier while leading her evidence in the first instance and for not including the same even in the application (the first one) as moved by her for seeking permission to lead additional evidence despite the fact that the same were in existence and were supposed to be within her knowledge even at that time and moreover, she

has not come forward with any fair, candid and plausible explanation as to how the afore-said documents, including the said demarcation report also, would be relevant and essential for the just and proper adjudication of the matter in dispute between the parties. To add to it, as mentioned in application Annexure P-4 itself, the same has been moved at the stage of hearing the arguments in the said Civil Suit.

As a sequel to the fore-going discussion, it follows that there is no illegality, infirmity, irregularity or perversity in the impugned order so as to call for any interference by this Court.

Resultantly, the revision petition in hand, being *sans* any merit, stands dismissed.

March 23, 2022
Yag Dutt

(MEENAKSHI I. MEHTA)
JUDGE

Whether speaking/reasoned: *Yes*

Whether Reportable: *No*