

**In the High Court of Punjab and Haryana, at Chandigarh**

**Civil Revision No. 3919 of 2019**

**Date of Decision: 15.11.2022**

Dr. Sangeeta Chopra

... Petitioner(s)

Versus

M/s Allied Gas Agency and Another

... Respondent(s)

**CORAM: Hon'ble Mr. Justice Anil Kshetarpal.**

Present: Mr. A.P.Bhandari, Advocate  
for the petitioner(s).

Mr. A.P.S.Sandhu, Advocate  
for the respondent No.1.

**Anil Kshetarpal, J.**

1. This revision petition has been filed with a view to assail the correctness of an interlocutory order passed by the trial Court on 17.05.2019. Defendant No.1 in a suit filed for grant of decree of permanent injunction by the plaintiff (respondent herein) is the petitioner herein. When the plaintiff appeared in evidence, he tendered some documents. At that stage, the defendant No.1 (petitioner herein) filed an application under Order VIII Rule 1A(4) of the Code of Civil Procedure, 1908 (hereinafter referred to as "CPC") to summon certain official record for the purpose of cross-examining the plaintiff. The trial Court has rejected the same. Challenging its correctness, the present revision petition has been filed.

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

The learned counsel representing the petitioner submits that

since as per Clause (4) of Rule 1A of Order VIII CPC, the rule under Order VIII Rule 1A Clause (1) to (3) CPC shall not apply to the documents produced for cross-examination of the plaintiff's witnesses, therefore, the trial Court has erred in dismissing the application. He further submits that the defendant No.1 wishes to confront the plaintiff with the original record in order to prove that the documents produced by the plaintiff are forged and fabricated.

4. After the plaintiff concludes his evidence, the defendant would get an opportunity to lead his evidence. Additionally, the plaintiff is not required to be confronted with respect to the documents produced by her, at this stage. The defendant No.1 can summon the official record when her turn for leading evidence comes up, in order to prove her case.

5. As regards the argument of the learned counsel representing the petitioner that the plaintiff is required to be confronted with those documents, the defendant No.1, if so advised, may explore the possibility of summoning the plaintiff as her witness.

6. With the observations made above, the present revision petition is disposed of.

**(Anil Kshetarpal)**  
**Judge**

**November 15, 2022**  
**"DK"**

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