

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

CR-2187-2021(O&M)

Date of decision: 11.11.2022

Ravinder Mehra

....Petitioner

Versus

Ashok Kapoor

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Chetan Bansal, Advocate for the petitioner

Mr.V.K.Sandhir, Advocate for the respondent

ANIL KSHETARPAL, J (Oral)

While dismissing the petitioner's application for permission to lead the additional evidence, the court has refused to permit the petitioner (defendant) to produce the following documents:-

- i) Pedigree table of late Sh. Amar Nath
- ii) Death certificate of Ms. Pushpawati Mehra issued by the Registrar of Births and Deaths.

The plaintiff has filed a suit for grant of decree of permanent injunction, restraining the defendants from dispossessing or interfering into his possession. He claims to be a tenant. The defendant claims that they have purchased the property from the heirs of Sh.Bhushan Lal Mehra, son of Sh.Amar Nath, on 05.06.2018. It has been stated that since Ms.Pushpawati Mehra died on 15.01.2018, therefore, her share would also devolve upon her natural heirs as a general rule. Learned counsel representing the petitioner submits that he has instructions not to press his prayer for the production of the pedigree

table.

He further submits that he will not be required to lead any oral evidence.

It is not in dispute that the suit is still pending before the trial court. The document sought to be produced in evidence has been issued by the Registrar of Births and Deaths. It is a public document. Hence, the impugned order is set aside. Let the petitioner (defendant) produce the death certificate before the trial court. Needless to observe that the plaintiff will have an opportunity to controvert the aforesaid document.

Disposed of.

All the pending miscellaneous applications, if any, are also disposed of.

11.11.2022

rekha

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)
JUDGE