

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

CR-6031-2019 (O&M)

Date of decision: 31.08.2022

Ranbir Singh
Versus

....Petitioner

Gurmit Singh and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Kulwinder Singh, Advocate for
Mrs. K.S.Walia, Advocate for the petitioner
Mr. Anshu Kaushik, Advocate for respondents

ANIL KSHETARPAL, J (Oral)

On 22.07.2019 application filed by the plaintiff was allowed
and the following issue was framed:-

*“1-A- Whether the suit property is
ancestral in nature?OPP”*

Learned counsel representing the plaintiff without realising
that an opportunity is granted to be required to the plaintiff to prove that
issue, onus whereof was on him, filed an application for permission to
lead additional evidence, which has been dismissed on 30.08.2019.
Once an additional issue has been framed, the parties are required to be
granted an opportunity to lead evidence.

In view of the aforesaid facts, the order under challenge is
set aside. The court is requested to provide an opportunity to both the
parties to prove their case as per the additional issue.

Disposed of.

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

31.08.2022

rekha

Whether speaking/reasoned :

Yes/No

Whether reportable :

Yes/No

**(ANIL KSHETARPAL)
JUDGE**