

CR-5178-2022

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

CR-5178-2022

Date of Decision: November 16, 2022

Karamjit Singh and others

...Petitioners

Versus

Sandeep Singh and others

...Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Ms. Srishti Shukla, Advocate for the petitioners.

DEEPAK GUPTA, J.(Oral)

Petitioners are the defendants before the learned Additional Civil Judge (Jr. Divn.), Nabha in civil suit bearing CNR No.PBPTB0-000782-2012 titled as *“Sandeep Singh and others vs Karamjit Singh and others”*. Vide impugned order dated 15.10.2022 (Annexure P-5), an application moved by the petitioners-defendants for additional evidence was dismissed, against which this revision has been filed.

2. It is submitted by the learned counsel that by way of application for additional evidence, petitioners-defendants simply wanted to tender in evidence certified copies of the Jamabandi for the year 2005-06; for the year 2010-11; for the year 2015-16 with respect to different parts of the suit land, and these documents pertain to compromise Ex.P-5. It is submitted that these documents are per se admissible and so, prayer to tender these documents in evidence has been wrongly declined.

3. Perusal of the impugned order reveals that Ld. trial Court observed that documentary evidence proposed to be produced was unnecessary and that the application had been moved to delay the proceedings, as the case was at the stage of arguments.

CR-5178-2022

4. Heard.

5. The documents proposed to be tendered in additional evidence pertain to revenue record, which are per se admissible, unless rebutted. It will be at the final stage that it is to be seen by the court as to whether the documents are necessary for the disposal of the case or not. Additional evidence can be allowed at any stage and so, the fact that case was at final stage, could not be the reason to decline the application.

6. In view of above, this revision is accepted. One opportunity is provided to the petitioners-defendants to tender in evidence the proposed documents but this is subject to ₹20,000/- as cost to be paid by them to the respondents-plaintiffs by way of demand draft. The trial Court shall fix a date for tendering of the documents by the petitioners-defendants and then proceed further in accordance with law.

7. This order has been passed without serving notice to the respondents in order to avoid any delay in the matter. However, if the respondents-plaintiffs are aggrieved by this order, they can approach this Court.

November 16, 2022

sarita

(DEEPAK GUPTA)

JUDGE

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