

IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH
Sr. No.: 112

Civil Revision No.4893 of 2022
Date of Decision: *November 17, 2022*

Sushil Kumar

..... PETITIONER(S)

VERSUS

Shiv Karan & another

..... RESPONDENT(S)

. . .

CORAM: **HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA**

. . .

PRESENT: - Mr. Ashok Kumar Khunger, Advocate, for the petitioner.

. . .

Tribhuvan Dahiya, J (Oral)

This revision petition has been filed under Article 227 of the Constitution of India against order passed by the trial Court, dated 30.09.2022 (Annexure P-4), whereby the respondent No.1/plaintiff's application to tender attested copies of statement of account as additional evidence has been allowed.

Learned counsel for the petitioner-defendant objects to allowing of the application by the trial Court on the ground that the issue of readiness and willingness was required to be proved by the plaintiff in his evidence in the affirmative which could not be done by him, and the application was filed only to fill-up the lacuna.

While allowing the application the trial Court has recorded that the documents are necessary for just decision of the case. No prejudice will be caused to the defendants since they shall be granted one opportunity

to rebut the documentary evidence being taken on record. Further, the documents have been allowed to be produced on record and exhibited subject to their admissibility and relevancy in accordance with law, and subject to payment of costs.

Therefore, there is no infirmity or illegality in the impugned order. No ground to interfere with the same is made out.

Dismissed.

(Tribhuvan Dahiya)
Judge

November 17, 2022
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Whether Speaking/ Reasoned:
Whether Reportable:

Yes/ No
Yes/ No