

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

**Civil Revision No.5721 of 2022 (O & M)
Date of Decision:-07.12.2022**

Ranjit Kaur

...Petitioner

Versus

Tehal Singh and others

...Respondents

CORAM:- HON'BLE MS. JUSTICE NIDHI GUPTA

Present:- Mr. Navinder Jit Singh Dandiwal, Advocate
for the petitioner.

Mr. Kishan Sharma, Advocate
for the caveator/respondent No.4.

NIDHI GUPTA J.(Oral)

Prayer in this petition is for setting aside the order dated 12.10.2022 (Annexure P-6) passed by the Additional District Judge, Moga vide which the petitioner's application under Order 41 Rule 27 CPC for leading additional evidence at the appellate stage has been dismissed.

It is petitioner's case that she had no knowledge of the sale deed dated 21.11.1985 vide which her father Sardara Singh had purchased the land in the name of her mother Kartar Kaur-respondent No.6. It is submitted that it is imperative to place the said Sale Deed on record as additional evidence to enable the petitioner to compare thumb impressions of Sardara Singh on the sale deed with the thumb impressions on the

disputed Will dated 01.10.2004, which is the subject matter of the suit. However, this claim of the petitioner is belied by her own deposition made before the trial Court as PW1 wherein she herself stated “....it is correct that my father has also purchased one killa of land in the name of my mother”.

Learned counsel for the petitioner is unable to controvert this factum of prior knowledge of Sale Deed on part of petitioner and resulting lack of due diligence on her part in leading the same as evidence earlier. Now the civil suit is at its fag end.

Accordingly, I find no ground to interfere in the order dated 12.10.2022 passed by the Additional District Judge, Moga.

No merits.

Dismissed.

December 07, 2022
Vijay Asija

(NIDHI GUPTA)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No