

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

125

CR-7496-2019

Date of decision: 22.08.2022

ASHOK KUMAR

..Petitioner

Versus

SHEWTA NARANG AND ORS

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: None for the petitioner.

Mr. Namit Gautam, Advocate
for respondent No.1.

ANIL KSHETARPAL, J(Oral)

An application filed by the plaintiff for permission to lead secondary evidence in order to prove agreement to sell dated 11.11.2010 in a suit by way of specific performance of the agreement to sell has been allowed.

The learned counsel representing the respondent admits that in view of the order passed in **Civil Revision No.2575 of 2020, titled as Vinod Kumar Vs. Satbir Singh** the revision petition is required to be disposed of as it has been held that there is no provision that entails filing an application in advance for seeking permission to lead the secondary evidence. The parties can lead the evidence and the Court thereafter will examine whether such evidence is primary or secondary evidence. If the Court comes to a conclusion that the evidence led is secondary evidence, the Court will examine whether such evidence which has been led fulfils all the necessary requirements of law that make the secondary evidence admissible in the Court of law.

Keeping in view the aforesaid facts, the revision petition is disposed of accordingly.

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

August 22nd, 2022

**(ANIL KSHETARPAL)
JUDGE**

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No