

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

CR-7897-2019 (O&M)

Date of decision: 26.05.2022

Gurmail Singh and others

....Petitioners

Versus

Kulbir Singh

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. C.S.Jattana, Advocate for the petitioners

Mr. Deepak Aggarwal, Advocate for the respondent

ANIL KSHETARPAL, J (Oral)

The trial court, taking a very narrow view of the matter, has refused to permit the defendant to produce the certified copy of the Jamabandi for the year 2014-15 in additional evidence. Such document is per se admissible in the evidence. The plaintiff (respondent herein) has filed a suit for separate possession by way of partition of the *Gair Mumkin* land measuring 4 kanals 18 marlas in which some construction has been raised. The case is pending at the trial stage. The court should rise to the occasion in order to do substantive justice between the parties. Hence, the order under challenge is set aside. The plaintiff shall have liberty to lead counter evidence.

The revision petition stands allowed

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

26.05.2022

rekha

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

**(ANIL KSHETARPAL)
JUDGE**