

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

CR No. 7582 of 2018 (O&M)

Date of decision: 13.01.2023

Sat Pal

..... Petitioner.

Versus

Rohtash and others

.... Respondents.

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. Ravi Dutt Sharma, Advocate,
for the petitioner.

Mr. Tribhawan Singla, Advocate,
for respondents No. 5 to 10, 12 and 13.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner has challenged the order dated 08.10.2018 (Annexure P-11) passed by the Civil Judge (Junior Division), Kaithal, whereby his application for leading additional evidence has been dismissed.

Learned counsel for the petitioner submits that the petitioner had sought to exhibit plaint, written statement and the orders passed in a previous civil suit between the parties which would have a bearing on the adjudication of the dispute.

Learned counsel for respondents No. 5 to 10, 12 and 13 does not object to the leading of this evidence, but submits that the petitioner has been trying to delay the matter and the evidentiary value of these documents should be determined by the trial Court in accordance with law.

In view of the above position, it would be in the interest of justice if the petitioner is granted one opportunity to lead the additional

evidence.

Consequently, the petitioner stands allowed. The impugned order dated 08.10.2018 (Annexure P-11) is set aside and the petitioner would be granted one opportunity to lead additional evidence. The respondents would also be granted adequate opportunity to rebut the same. The evidentiary value of the additional evidence being led by the petitioner would be determined by the trial Court in accordance with law.

Pending application(s), if any, shall also stand disposed of.

13.01.2023
Ramesh

(ANUPINDER SINGH GREWAL)
JUDGE

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