

2023:PHHC:070833
IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CR No. 1194 of 2019 (O&M)

Date of decision : 16.5.2023

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Om Parkash deceased through his LRs

.....Petitioner

vs.

Adarsh High Senior Secondary School and another

.....Respondents

Coram: Hon'ble Mr. Justice H. S. Madaan

Present: Mr. P.K. Garg, Advocate
for the petitioner.

Mr. Rishav Jain, Advocate for the respondents.

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H. S. Madaan, J. (Oral)

The defendant is feeling aggrieved by the fact that a document in the form of rent deed dated 23.1.2011 produced by the defendant in evidence alongwith affidavit of DW-3 and exhibited as Exhibit DW3/A has been ordered to be marked as Mark -A by the court concerned, as such the present revision petition has been filed, notice of which was given to the respondents, who have put in appearance through counsel.

After hearing learned counsel for the parties, I find that the defendant has an opportunity to convince the trial court with regard to admissibility and mode of proof of the document at the time of final arguments and merely because it has been ordered to be given Mark-A does not mean that the document shall not be taken to be

duly proved by the trial Court, if otherwise the legal requirements of its proof and admissibility are fulfilled.

Therefore, the revision petition is disposed of with an observation that the trial Court during the course of final arguments, after hearing learned counsel for the parties, would decide about the admissibility of the document in question.

The interim order passed on 20.2.2019 thus comes to an end.

16.5.2023		(H.S. Madaan)
chugh		Judge
	Whether speaking / reasoned	Yes / No
	Whether reportable	Yes / No