

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

115

CR-1995-2023

Date of Decision :29.03.2023

Gurcharan Singh

...Petitioner

Versus

Surjit Kaur and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Harsh Aggarwal, Advocate for the petitioner.

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Harsimran Singh Sethi, J. (Oral)

Learned counsel for the petitioner submits that he has no objection in case validity as well as admissibility of the document in question i.e. Ex-D-9 is ascertained by the competent Court of law at the time of final adjudication, keeping in view the evidence which has come on record but the said document could not have been de-exhibited keeping in view the order passed by the Coordinate Bench of this Court in **CR-4316-2018** titled as **Gurcharan Singh vs. Surjit Kaur and others** decided on 29.04.2019 wherein, trial Court was allowed to decide the authenticity of the document at the final stage.

Keeping in view the above, impugned order dated 21.02.2023 (Annexure P/21) passed by the trial Court is modified to the extent that Ex-D-9 will not be treated as de-exhibited but the authenticity/admissibility of the same will be decided by the competent Court of law at the time of passing of final order keeping in view the evidence on record in accordance

with law.

As the present order is passed without issuing notice of motion to the respondents-plaintiffs, in case any prejudice is felt by the respondents-plaintiffs, they will be free to file an application in the present case so as to revive the same.

March 29, 2023
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(HARSIMRAN SINGH SETHI)
JUDGE

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