

2023:PHHC:136635

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

CR-5029-2019 (O&M)
Date of decision: 19.10.2023

Sardar Bhai Jawala Singh Harbhajan Singh Halwai Charitable Trust
and another

....Petitioners

Versus

Iqbal Singh and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr. Prateek Sodhi, Advocate for the petitioners

Mr. A.P.S.Sandhu, Advocate for respondent no.1 and 2

ANIL KSHETARPAL, J (Oral)

1. The petitioner before this Court is the plaintiff in a suit filed by him. The suit was filed in the year 2011. The suit was filed for grant of decree of declaration that defendants are neither the trustees nor the members of the plaintiff-Trust. It has come on record that the plaintiff has availed as many as 54 opportunities to lead evidence. The plaintiff has also filed the revision petition before this Court and was granted opportunity to lead evidence. On 26.04.2018 the revision petition was withdrawn after the plaintiff made a statement that all the witnesses of the plaintiff have been examined. After both the parties have closed their evidence, the plaintiff filed an application for permission to lead the additional evidence. He wishes to produce on record a copy of the criminal complaint filed by the plaintiff no.2, the summoning order, the

letter written by Smt.Manjit Kaur, wife of Sh.Gurjit Singh through whom the Trust has filed the suit, an order passed by the State Commission for Dispute Redressal and the other documents. The trial court dismissed the application.

2. Learned counsel representing the petitioner was repeatedly requested to show the relevance of the aforesaid documents. He submits that the aforesaid documents are per se admissible. The trial court has examined the documents and found that these are not per se admissible in evidence. Moreover, the suit has already remained pending for nearly 12 years now. In such circumstances, no ground to interfere is made out.

3. Hence, dismissed.

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

19.10.2023

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)
JUDGE