

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(267)

CR-3996-2022 (O&M)

Date of Decision : 30.05.2023

Dharminder Singh

...Petitioner

Versus

Dyal Singh and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. R.S. Sidhu, Advocate for the petitioner.

Mr. Lupil Gupta, Advocate with
Mr. Mandeep Singh, Advocate
for respondents No. 2, 3 and 6.

Harsimran Singh Sethi J. (Oral)

1. The present civil revision petition has been filed challenging the order dated 18.08.2022 (Annexure P-4) by which the application for leading the additional evidence has been dismissed.

2. Learned counsel for the petitioner submits that an application was filed only to produce the copy of *jamabandi* for the year 1981-1982, which application has been declined.

3. On being asked, as to whether the said evidence was to the knowledge of the petitioner at the time when the evidence was being led in affirmative, learned counsel for the petitioner conceded the factum that though, the petitioner knew about the said *jamabandi* but the same was not in his possession. Merely, that the copy of the *jamabandi* was not in

his possession does not mean that at any given point of time during the trial, an application can be filed seeking leading of additional evidence.

4. Further, from the perusal of the impugned order, it is clear that on an earlier occasion also an application was filed for adducing the additional evidence, which was dismissed in the year 2019. This fact shows that the repeated applications are being filed for leading the additional evidence and that too without any valid justification. The modus operandi of the petitioner seems to delay the proceedings on one account or the other, which cannot be permitted.

5. Keeping in view the facts and circumstances of the present case, no justification arises for any interference by this Court in the impugned order.

6. Dismissed.

CM-13210-CII-2022

As the petition is dismissed, the present application also stands dismissed.

May 30, 2023
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No