

CR-5608 of 2023

2023:PHHC:125951

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

CR-5608 of 2023

Date of decision: 22.09.2023

Baldev Kaur

.....Petitioner

Versus

Rajinder Kaur and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Mr. Bhuwan Vats, Advocate,
for the petitioner.

NAMIT KUMAR, J.

1. Instant revision petition has been filed by the petitioner-plaintiff under Article 227 of the Constitution of India challenging the order dated 04.08.2023 (Annexure P-1) passed by the Court of learned Civil Judge (Junior Division), Sunam, whereby application filed by the petitioner for placing on record copy of transfer deed and jamabandi, has been dismissed.

2. Brief facts of the case are that petitioner filed a suit for permanent injunction and declaration against the respondent-defendants. During the pendency of the suit, petitioner filed an application for placing on record copy of transfer deed No.1179 dated 15.06.2015 and jamabandi for the year 2011-12, which has been

dismissed by the Court of learned Civil Judge (Junior Division), Sunam, vide impugned order.

3. Learned counsel for the petitioner contended that the trial Court has wrongly dismissed the application of the petitioner without appreciating the fact that documents sought to be placed on record are very much necessary for the proper adjudication of the case. He further submitted that in case petitioner is not granted an opportunity to place the said documents on record, she will suffer an irreparable loss.

4. I have heard learned counsel for the petitioner and perused the record.

5. Perusal of the file shows that in compliance of the order dated 28.01.2020 passed by learned Additional District Judge, Sangrur, petitioner was granted one opportunity to lead oral as well as documentary evidence on her own responsibility. Petitioner examined herself and two other witnesses, however, she did not produce any document either in her testimony or in the testimony of other two witnesses. Despite specific order that no further opportunity shall be granted to lead evidence, the petitioner filed present application only to linger on the trial.

6. The impugned order passed by the Court below is well-reasoned and it does not suffer from any illegality or infirmity and is not having any element of arbitrariness or perversity. The revisional jurisdiction of this Court is quite limited and considering the facts and circumstances of the case, there is no reason to interfere with the impugned order by way of exercising the revisional jurisdiction.

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7. Finding no merit in the revision petition, the same stands dismissed.

22.09.2023
R.S.

(NAMIT KUMAR)
JUDGE

Whether speaking/reasoned

:

Yes/No

Whether Reportable

:

Yes/No