

131 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR-1134-2023 (O&M)
Date of decision :05.04.2024

M/s Motiya Royal Estate Pvt. Ltd. ...Petitioner
Vs.
Amrit Pal Singh Since Deceased
through his LRs ...Respondents

CORAM:- HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Prateek Sodhi, Advocate
for the petitioner.

Mr. Jaskirat Singh Arora, Advocate
for respondents No. 2, 3 and 4.

ANIL KSHETARPAL, J. (Oral)

1. The trial Court has refused to give permission to the defendants to take photographs of the endorsement, which has been recited on the photocopy of the agreement to sell despite no objection by the learned counsel representing the plaintiff. The correctness of the aforesaid order has been challenged in this revision petition.
2. Learned counsel representing the respondents does not dispute that his counsel gave him no objection to the allowing of application dated 21.12.2012 (Annexure P-6). Hence, the Court has erroneously refused to permit the defendants to take photographs of the signatures allegedly appended by the plaintiff under the aforesaid endorsement. It is not in dispute that the case is at the stage of defendant's evidence. They shall be given sufficient opportunity to lead relevant evidence in support of their case.
3. Hence, the impugned order is set aside and the revision petition is allowed.

05.04.2024 neeraj		(ANIL KSHETARPAL)	
		JUDGE	
	Whether speaking/reasoned :	Yes	No
	Whether Reportable :	Yes	No