

CR-1939-2024 (O&M)

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr. No.134

CR-1939-2024 (O&M)
Date of Decision: 01.04.2024

PARNAM SINGH

....Petitioner

Versus

BEANT KAUR AND OTHERS

.....Respondents

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present: Mr. V.K. Sandhir, Advocate,
for the petitioner.

ARCHANA PURI, J. (Oral)

The petitioner has invoked the jurisdiction of this Court under Article 227 of the Constitution of India, for issuance of direction to learned Lower Appellate Court to consider and decide the application under Order 41 Rule 27 CPC, pending in Civil Appeal i.e. CA-28-2017 dated 09.01.2017, titled as '*Parnam Singh Vs. Beant Kaur and others*'.

It is submitted by learned counsel for the petitioner that the application for additional evidence had been filed, during the pendency of the appeal, but the same has not been taken up by learned Lower Appellate Court, though the reply to the same has also been filed. However, it is only the main appeal, which has now been fixed for 12.04.2024, for arguments.

It is further submitted by learned counsel that he shall be satisfied, if the application for additional evidence is also ordered to be dealt along with the appeal, which is fixed for 12.04.2024.

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In view of the submission made and also considering the fact that the application for additional evidence, ought to be taken along with the appeal, the present revision petition is hereby accepted and a direction is given to learned Lower Appellate Court to deal with the application for leading additional evidence, along with the main appeal, and decide the same, in accordance with law.

Accordingly, the instant revision petition stands disposed of.

01.04.2024
Himanshu

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No