

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR No.1833 of 2022 (O&M)

Date of Order:29.04.2024

Ujjwal Makhija and another

.Petitioners

Versus

Pradeep Makhija and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Yagsimant Attri, Advocate,
for the petitioners.Mr. Rajesh Punj, Advocate
for respondent nos.1 and 2.**ANIL KSHETARPAL, J**

1. The petitioners before this court are defendants no.12 and 13 in the plaintiffs's suit for separate possession by way of partition and for declaration that the conveyance deed dated 11.09.1991, executed by New Mandi Township, Haryana, in favour of Smt. Shanti Devi by virtue of Will dated 12.06.1990, is illegal, null and void.

2. An application was filed by the petitioners for permission to lead additional evidence in order to prove the rent note. The trial court dismissed the application on the ground that the signatures on the rent note are admitted by the plaintiffs. Hence, the application was dismissed.

3. The learned counsel representing the petitioners submits that the aforesaid document has not been exhibited but only marked. He submits that unless the rent note is proved, the same shall not be read in evidence.

4. On a court question, the learned counsel representing the respondents (plaintiffs) admits their signatures on the rent note.

5. Keeping in view the aforesaid facts, the execution of the document is admitted. Hence, the court is directed to exhibit the same.
6. In view of the aforesaid developments, the application for permission to lead the additional evidence is rendered infructuous.
7. The revision petition is disposed of accordingly.
8. All the pending miscellaneous applications, if any, are also disposed of.

April 29, 2024
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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned
Whether reportable

:YES/NO
:YES/NO