



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

CR-3866-2024

Date of Decision: July 15, 2024

Amarjit Kaur

...Petitioner

Versus

Jaswinder Kaur and others

...Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Manpreet Singh, Advocate for the petitioner.

DEEPAK GUPTA, J.(Oral)

Plaintiff challenged a registered Gift Deed dated 17.07.2007 executed by her husband – defendant No.4 – Harminder Singh in favour of defendant No.1. The suit has been filed on 23.06.2020. During the proceedings, an application was moved to prove the said Gift Deed by way of secondary evidence, which has been allowed by way of the impugned order dated 13.05.2024. The said order is assailed by way of present petition to fill up the lacunae. The Trial Court has rightly observed that document in question is registered. Whether the document, required to be produced by the secondary evidence is genuine or not, is a matter to be decided during trial. However, a party has a right to prove a document by way of secondary evidence, in case it is proved that the original was in existence and lost.

After going through the impugned order, this Court does not find any illegality or perversity in the impugned order.

Dismissed.

July 15, 2024

sarita

(DEEPAK GUPTA)

JUDGE

Whether reasoned/speaking: Yes/No

Whether reportable: Yes/No