



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

CR-2557-2025(O&M)
Date of decision: 04.09.2025

Meenakshi @ Sunita

... Petitioner

Versus

Prem Singh and another

... Respondents

CORAM: HON'BLE MR. JUSTICE VIKRAM AGGARWAL

Present: Mr. Himanshu Sharma, Advocate,
for the petitioner.

VIKRAM AGGARWAL, J. (ORAL)

The present revision petition, preferred under Article 227 of the Constitution of India, assails order dated 17.01.2025 (Annexure P-1), passed by the Court of Additional Civil Judge (Sr. Divn.), Rewari, vide which application moved by the petitioner/plaintiff for additional evidence was dismissed.

2. A suit (Annexure P-2) for declaration along with consequential relief of permanent injunction was filed by the petitioner/plaintiff (Meenakshi @ Sunita). The grievance raised was that her father Prem Singh (defendant No.1) had executed a release deed in respect of ancestral land in favour of her sister Vidhya Devi (defendant No.2).

3. After the trial had almost concluded and the matter was listed for final arguments, an application (Annexure P-3) for additional evidence was moved by the petitioner/plaintiff, seeking to produce an *excerpt* (Intakhab) to prove the ancestral nature of the suit land. The application was



opposed by way of a reply (Annexure P-4). Vide impugned order, the said application was rejected, leading to the filing of the present revision petition.

4. Pursuant to issuance of notice of motion, respondents were duly served but no one has put in appearance on their behalf despite service.

5. Learned counsel for the petitioner submits that the *excerpt* which is now sought to be produced by way of additional evidence is essential for the just decision of the case. He concedes that it could not be produced during the course of the trial but submits that on account of this lapse, the petitioner should not be non-suited, as the *excerpt* would be essential for establishing the ancestral nature of the land. He further submits that only one effective opportunity is required to produce the said document in evidence.

6. I have considered the submissions made by learned counsel for the petitioner.

7. There would be no necessity of issuing notice to the respondents, for, in view of the nature of the order that is proposed to be passed, no prejudice would be caused to them.

8. Concededly, the suit was filed as far as back in 2016 and is now at the stage of final arguments. However, at the same time, the fact that cannot be lost sight of is that the petitioner/plaintiff claims that the suit land is ancestral property. To prove its ancestral nature, the production of the *excerpt* (Intakhab) would be essential. Non-suiting the petitioner/plaintiff merely on the ground that the document could not be produced as it was not produced till today, would be unjust as the document appears to be essential for the just and proper adjudication of the matter.



9. That being so, the instant revision petition is allowed. The impugned order dated 17.01.2025 (Annexure P-1) is set aside. The petitioner is granted one effective opportunity to produce the *excerpt* (Intakhab) by way of additional evidence, with equal opportunity to the respondents/defendants to lead evidence in rebuttal of the same, on a date to be fixed by the trial Court. This shall, however, be subject to payment of costs of Rs.15,000/- to the defendants.
10. Pending applications, if any, shall also stand disposed of.

(Vikram Aggarwal)
Judge

September 4, 2025
Rajan

Whether speaking / reasoned:	Yes/No
Whether Reportable:	Yes/No