



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

**CR No. 2215 of 2026 (O&M)
DATE OF DECISION: 20.04.2026**

BUNA RAM ALIAS SATPAL

.....PETITIONER

Vs.

SULAKHAN

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AMARINDER SINGH GREWAL

Present: Mr. Kuldeep Singh Siwach, Advocate,
for the petitioner.

AMARINDER SINGH GREWAL, J.

1. Prayer in the present Civil Revision Petition filed under Article 227 of the Constitution of India is for setting aside the impugned order dated 04.02.2026 (Annexure P-6), passed by the learned Additional Civil Judge (Senior Division), Ratia, vide which the application for leading additional evidence has been dismissed.

2. Brief facts of the case are that the respondent, Sulakhan son of Om Parkash, had filed a suit for possession of the suit property against the present petitioner, Buna Ram son of Chander Bhan. Notice of the suit was issued to the present petitioner, who contested the suit by filing a written statement (Annexure P-2). In the written statement, the present petitioner-defendant contended that the father of the respondent-plaintiff, namely Om Parkash, had sold the suit property to the present petitioner for a consideration of ₹45,000/- and had also executed a writing in this behalf on 21.11.2011 after receiving the sale consideration. After completion of



pleadings, issues were framed. The respondent-plaintiff thereafter closed his evidence and even the petitioner also closed his evidence.

2.1 Thereafter, the present petitioner-defendant moved an application seeking permission to produce additional evidence by examining a handwriting and fingerprint expert to examine the signatures on document Ex. D-1. A reply to the said application was filed by the respondent-plaintiff.

2.2 The learned Civil Judge (Senior Division), Ratia, after hearing learned counsel for the parties, dismissed the application vide order dated 04.02.2026 (Annexure P-6), which is now under challenge.

3. Learned counsel for the petitioner submits that the case of the petitioner is based on the document, i.e. the writing dated 21.11.2011, Ex. D-1 executed by the father of the respondent-plaintiff, Om Parkash, vide which the suit property was sold to the present petitioner for a consideration of ₹45,000/-.

3.1 It is further contended that since the respondent-plaintiff had denied the execution of document Ex. D-1 dated 21.11.2011, the learned trial Court ought not to have dismissed the application, as the said document goes to the root of the case. Thus, it is submitted that the order dated 04.02.2026 (Annexure P-6) be set aside, the application for leading additional evidence be allowed, and one effective opportunity be granted to the present petitioner to examine the handwriting and fingerprint expert regarding the aforesaid document dated 21.11.2011.

4. After hearing the submissions made by learned counsel for the petitioner and upon perusal of the record, it emerges that the respondent-



plaintiff had already closed his evidence and thereafter, opportunities were granted to the present petitioner to lead his evidence and then he closed his evidence. When the respondent-plaintiff had denied the execution of document Ex. D-1 dated 21.11.2011, the petitioner could have examined the handwriting and fingerprint expert in support of his case; however, he failed to do so.

5. Further, from a perusal of the case file, it transpires that the petitioner had availed as many as 14 opportunities to lead his evidence. So since the present petitioner himself had closed his evidence on 15.01.2026 as such this Court is of the considered view that there is no vested or automatic right to produce additional evidence. When the petitioner was fully aware of the alleged writing dated 21.11.2011 executed by the father of the respondent in his favour, he ought to have examined the handwriting and fingerprint expert during the stage of his evidence. However, the petitioner failed to do so for the reasons best known to him.

6. Further, this Court is of the view that an application for leading additional evidence cannot be allowed to fill up lacunae or defects in the case. Rather, Hon'ble the Supreme Court of India has repeatedly held that the power to allow additional evidence must be exercised sparingly to remove a lacuna in evidence and not to permit a party to fill gaps in its case.

7. Thus, this Court finds no merit in the prayer for setting aside the impugned order dated 04.02.2026 (Annexure P-6) passed by the learned Additional Civil Judge (Senior Division), Ratia.

8. Finding no illegality in the impugned order dated 04.02.2026



(Annexure P-6), the present revision petition, being devoid of merit, is accordingly dismissed.

9. Pending miscellaneous application(s), if any, shall also stand disposed of.

APRIL 20, 2026	(AMARINDER SINGH GREWAL)
nitin	JUDGE
Whether Speaking	Yes
Whether Reportable	No