IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

107 CM-3216-LPA-2026 in/and
LPA No.1324 of 2026 (O&M)
Date of Decision: 07.05.2026

DARSHAN SINGH

.....Appellant

Versus

BRANCH MANAGER, HDFC LTD (NOW HDFC BANK) AND ANR.

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI
HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present: Mr. S.P. Verma, Advocate,
for the appellant.

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HARSIMRAN SINGH SETHI, J. (Oral)

CM-3216-LPA-2026

This is an application seeking condonation of delay of 05 days in filing the appeal.

For the reasons stated in the application, the same is allowed and delay of 05 days in filing the appeal is condoned.

Main Appeal

1. The present appeal has been filed challenging the order passed by the learned Single Judge dated 20.03.2026 (Annexure A-1); the order passed by the District Consumer Disputes Redressal Commission, Patiala (for short, 'the District Consumer Forum') dated 28.02.2023 as well as 28.01.2025 and the order passed by the State Consumer Disputes Redressal Commission, Punjab, dated 02.02.2026, by which, the claim of the appellant for the supply of certain documents, has been rejected, which order has been upheld by the learned Single Judge, vide the impugned order.

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integrity of this order/judgment.

2. Learned counsel appearing on behalf of the appellant submits that the appellant had approached the Consumer Forum raising certain plea that the respondent-Housing Development Finance Corporation Limited has committed a default and therefore, they are liable to be proceeded against under the Consumer Protection Act, 2019. Learned counsel further submits that in response to the plea raised, a reply was filed by the respondents taking shelter behind certain policies, but the said policies were not brought on record including the terms and conditions agreed between the parties for the grant of loan. He further submits that in the absence of such documents on record, the issue raised by the appellant could not be decided properly and the demand of said documents at the hands of the appellant has been rejected by the authorities concerned including by the learned Single Judge, which is incorrect. The prayer raised by the appellant is that the documents, which are in the possession of the respondents, were sought to be brought on record, have wrongly been rejected by the authorities concerned. Hence, appropriate direction be given so that the *lis* between the parties could be adjudicated.

3. We have heard the learned counsel for the appellant and have gone through the record with his able assistance.

4. It is a settled principle of law that in case, an aggrieved person approaches the Court, the onus to prove the allegations is upon such person who is raising the grievance. The grievance has been raised but in order to support the said grievance, now, certain documents are being demanded from the respondents to prove such allegations; the prayer of the appellant is that though, he has raised certain allegations but there is no proof to support the said allegations and in order to prove such allegations, the onus is being directed to be shifted on the respondents to bring on record certain

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documents so that the same could be used against the respondents in order to prove the allegations alleged by the appellant. The said process cannot be accepted as the litigant who initiates the allegations is required to prove the same.

5. Further, in case, the respondents have taken any plea based upon any documents and such documents have not been brought on record, the appellant is free to raise all the objections before the authorities concerned qua such defence. Hence, once the issue is still pending consideration before the Consumer Forum, and liberty has already been granted by the learned Single Judge to raise all the objections qua the plea of defence raised based upon certain documents which are not on record, no interference of the Court in the present appeal is called for.

6. Keeping in view the totality of the circumstances, no ground is made out for any interference by this Court. The present appeal is dismissed accordingly.

7. Civil miscellaneous application pending, if any, is also disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

(DEEPAK MANCHANDA)
JUDGE

07.05.2026
Sandeep

Whether Speaking/Reasoned : Yes
Whether Reportable : No

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