

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

2026:PHHC:079685



Civil Revision No. 9484 of 2025 (O&M)

Date of Decision: 18.05.2026

Kulbir Singh and another

.....Petitioners

versus

Dera Thakuran Chowk Moni and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE RAMESH KUMARI

Present: Mr. S.S.Panag, Advocate, for the petitioners.
Mr. Chetan Bansal, Advocate, for respondents No.1 and 2.

RAMESH KUMARI, J.

The present civil revision is filed by the revisionists-petitioners against the impugned order dated 13.11.2025 passed by Civil Judge (Junior Division), Chandigarh, whereby the application filed by the plaintiffs (petitioners herein) seeking permission to lead additional evidence had since been dismissed.

2. Learned counsel for the revisionists-plaintiffs submitted that the revisionists-petitioners had filed a suit for specific performance of agreement to sell dated 10.09.2012 against the respondents-defendants. The respondents-defendants admitted execution of the agreement in respect of receipt of a part of earnest money through bank but denied receipt of cash payment. During the pendency of the civil suit and after closure of the plaintiffs' evidence, it came to the knowledge of the plaintiffs' that defendants-respondents in a meeting

held on 14.12.2022 at the residence of one Harinder Singh Dhillon, had admitted execution of the agreement and receipt of Rs.25 lacs as earnest money. The said meeting was video recorded by the said Harinder Singh Dhillon. The said fact of video recording of meeting was not within the knowledge of the plaintiffs at the time of filing of the suit or at the time of leading evidence and it came to the notice only on 04.01.2024 when a copy of the video recording was provided to the petitioners-plaintiffs. Acting with due diligence, the plaintiffs moved an application to summon the said witness along with the electronic record as additional evidence, as admission directly goes to the root of the controversy.

3. It is further submitted by learned counsel for plaintiffs that this fact is not appreciated by the learned trial Court and the learned trial Court erroneously dismissed the application by observing that the proposed evidence is beyond pleadings and execution of agreement has to be proved only through documentary evidence and that the said application is moved only to fill the lacuna in the case. The order of the learned trial Court suffers from jurisdiction and material irregularity and therefore, learned counsel for the plaintiffs prayed for setting aside the impugned order dated 13.11.2025 passed by the learned trial Court.

4. A perusal of the impugned order dated 13.11.2025 reveals that the civil suit for specific performance of agreement to sell dated 10.09.2012 was filed by the plaintiffs in the year 2015. The plaintiffs had already closed their evidence when the said application to examine Harinder Singh Dhillon and to prove the electronic record regarding the alleged admission of defendants was moved. The said application was moved on 15.05.2024 whereas the alleged meeting between the defendants and Harinder Singh Dhillon allegedly took

place on 14.12.2022 wherein the defendants stated to have admitted receipt of Rs.25 lacs as earnest amount. By way of moving the application seeking permission to lead additional evidence only prayer was for examination of Harinder Singh Dhillon and proving the pen drive. Even if the said application would have been allowed, it would not have affected the fate of the case because no application was moved by the plaintiffs for comparison of voice of defendant No.2 i.e. Mahant Jarnail Singh Chela Mahant Hardial Singh with the alleged voice contained in the pen drive. The learned trial Court rightly observed that the plaintiffs had to prove their case by leading cogent and convincing evidence and execution of document has to be proved by leading evidence and as per law.

5. In view of the above, this Court does not find any illegality or irregularity in the impugned order dated 13.11.2025 passed by Civil Judge (Junior Division), Chandigarh and consequently, the revision petition filed by the revisionists-plaintiffs stands dismissed.

(RAMESH KUMARI)
JUDGE

18.05.2026

ravinder

Whetherspeaking/reasoned	√Yes/No
Whetherreportable	√Yes/No