IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CR No.6685 of 2017(O&M)

Date of decision: 27.9.2017

Anand Parkash (since deceased) through LRs .....Petitioner

VERSUS

Gram Panchayat village Dhorka and others .....Respondents

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CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present: Mr. Abhilaksh Grover, Advocate for the petitioner.

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REKHA MITTAL, J.

The present petition directs challenge against order dated 04.08.2017 passed by the trial Court whereby application filed by respondent- Gram Panchayat for additional evidence to produce original patta register and its receipt has been allowed.

It is undisputed position of the case that copies of these documents are marked in the statement recorded by Sh. H.P. Bansal, Law Officer for the Gram Panchayat. There is nothing on record suggestive of the fact that when copies of these documents were marked, the petitioner (since deceased) represented by his LRs raised any objection with regard to their marking. The trial Court has allowed the respondent- Gram Panchayat to examine a witness to produce the original patta register and receipt. Counsel for the petitioner would fairly inform that in case the order passed by the trial Court permitting the respondent to produce the aforesaid documents by way of additional evidence is affirmed, it would be

better that the documents are produced by a witness with an opportunity to the petitioner to cross-examine the concerned witness as has been ordered by the trial Court.

I do not find any patent error much less illegality in the discretion exercised by the trial Court warranting intervention in exercise of supervisory jurisdiction of this Court.

Accordingly, the petition fails and is dismissed in limine. However, nothing stated hereinbefore shall be construed as an expression of opinion on merits of the case.

SEPTEMBER 27, 2017 **(REKHA MITTAL)**
'D. Gulati' **JUDGE**

Whether speaking/reasoned : yes/no

Whether reportable : yes/no