

2025:PHHC:088145



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

115

CR-4484-2025 (O&M)

Date of decision: 18.07.2025

Major Harinder Singh Gill (Retd.)

...Petitioner

Versus

Kuldip Singh and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS SURI

Present: Mr. R.C. Sharma, Advocate with
Ms. Shagun Goyal, Advocate for the petitioner.

VIKAS SURI, J. (Oral)

1. Prayer in this petition under Article 227 of the Constitution of India is for quashing the impugned order dated 27.05.2025 (Annexure P-4) passed by learned Additional District Judge, Jalandhar, on an application moved by the petitioner/respondent No.1 for reconstructing and reconstituting the LCR pertaining to the present appeal. The first appellate Court dismissed the said application with the following observations:-

“Learned counsel for appearing respondent No.1 and respondents No.3 and 4 have moved separate applications u/s 151 CPC for reconstructing and reconstituting of lower court record. These applications are dismissed when have been filed in wrong forum. This court is not custodian of lower court record. Appropriate application, if needed, may be moved with Incharge of Record Room concerned.

Further arguments concluded by respondent party. Arguments in rebuttal also addressed to some length on behalf



of appellant. Be put up on 21.07.2025 for remaining arguments.”

2. Learned counsel for the petitioner has argued that during the course of arguing the appeal before the first appellate Court, while referring to the record of the trial Court, counsel for the petitioner observed that there were large number of documents, which were never brought on record by any of the parties to the suit, in any proceeding. He would refer to his categoric averment made in para 2 of the application, which reads as thus:-

“That while preparing the arguments and going through the trial Court record, the counsel for the respondent has observed that in the trial Court record, there are large number of documents which have never been brought on record by any of the party to the suit in any proceeding.”

3. On a query of the Court, learned counsel for the petitioner has very fairly submitted that the said documents have not been proved on record and do not constitute evidence adduced by either party. Be that as it may, perusal of the impugned order shows that the appeal has been heard and the petitioner has concluded his arguments and arguments in rebuttal have also been addressed in part. The appeal is pending for 21.07.2025 for remaining arguments. Concededly, the issue raised in the present petition has already been urged before the lower Appellate Court while addressing arguments on behalf of petitioner/respondent No.1. No jurisdictional error has been pointed out in the impugned order and on the admissibility of a document or otherwise, the issue is yet to be



adjudicated by the first Appellate Court.

4. In view of the aforesaid, I do not find any illegality or perversity in the impugned order warranting interference.

5. The revision petition being devoid of merit, is dismissed.

July 18, 2025
sumit.k

(VIKAS SURI)
JUDGE

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