



CR-5597-2025 (O&M)

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

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**CR-5597-2025 (O&M)
Decided on :- 25.08.2025**

Seth Nain Sukh Dass Ram Dass
Parivrik Dharamarth Trust (Regd.)

...Petitioner

VERSUS

Ashok Gulia and Others

...Respondents

CORAM : HON'BLE MS. JUSTICE MANDEEP PANNU

Present: Mr. Rupam K. Aggarwal, Advocate for the petitioner.

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MANDEEP PANNU J.

1. The present revision petition is directed against the order dated 09.07.2025 whereby the application filed by the petitioner under Order 18 Rule 3 read with Section 151 of the Code of Civil Procedure, 1908 (for short, 'CPC') for leading rebuttal evidence was dismissed.

2. I have heard learned counsel for the petitioner and carefully gone through the record.

3. Perusal of the record reveals that an earlier application was moved by the petitioner seeking permission to produce the very same documents by way of additional evidence. The said application was dismissed by the learned trial Court vide order dated 05.03.2025. The petitioner thereafter preferred a revision before this Court, which too came to be dismissed by a co-ordinate Bench vide order dated 08.04.2025. In the said order, it was specifically observed that the petitioner had already produced on record the Jamabandis for the years 1965-66 and 2001-2002, and nothing had been shown as to how the Jamabandis now sought to be produced for earlier years would further advance the petitioner's case. It was



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further noticed that the documents pertain to a period much prior to the filing of the suit, and it could not be said that the petitioner was unaware of their existence. If at all the petitioner desired to rely upon them, such evidence should have been led at the stage of affirmative evidence.

3. Once the co-ordinate Bench of this Court had already considered and rejected the very plea of the petitioner, it is not open to the petitioner to re-agitate the same issue by filing another application on identical grounds, only changing the nomenclature from “additional evidence” to “rebuttal evidence.” Merely because an SLP has been filed before the Hon’ble Supreme Court against the earlier order would not entitle the petitioner to maintain a fresh application before the trial Court on the same set of facts and documents. The findings recorded by the trial Court as well as in the earlier revision categorically hold that such evidence ought to have been led in affirmative evidence, and cannot now be permitted at the stage of rebuttal.

4. The impugned order dated 09.07.2025 does not suffer from any illegality or perversity. The learned trial Court has rightly declined the request of the petitioner, and no ground is made out for interference in exercise of revisional jurisdiction.

5. Accordingly, finding no merit in the present revision petition, the same stands dismissed.

6. Pending application(s), if any, also stand disposed of.

August 25, 2025
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(MANDEEP PANNU)
JUDGE

Whether speaking/non-speaking : Speaking
Whether reportable : Yes/No