



CR-5342-2025 (O&M)

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

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**CR-5342-2025 (O&M)
Decided on :- 12.08.2025**

Raghibir Kuar

....Petitioner

VERSUS

Paramjit Singh

....Respondent

CORAM : HON'BLE MS. JUSTICE MANDEEP PANNU

Present: Mr. Tejinderbir Singh, Advocate for the petitioner.

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MANDEEP PANNU J.

1. Challenge in the present revision petition is to the order dated 26.05.2025 passed by the learned Civil Judge (Junior Division), Ludhiana, (Annexure P-2), whereby the application filed by the petitioner/plaintiff (hereinafter referred to as the 'petitioner') for placing on record the Special Power of Attorney dated 05.03.2018 was dismissed.

Relevant Facts

2. The petitioner instituted a suit for permanent injunction to restrain the respondent from interfering in her possession over the suit property. Being a permanent resident of Canada, she appointed her brother, Jagjit Singh, as her attorney to file and prosecute the present suit and related proceedings. Initially, while residing in Canada, she executed a Special Power of Attorney in favour of her brother on 16.07.2013. Certified copy of the said special power of attorney dated 16.07.2013 was exhibited as Ex. P/1. Subsequently, during her visit to India, she executed another Special Power of Attorney, also in favour of Jagjit Singh on 05.03.2018.



3. The petitioner moved an application under Section 151 CPC seeking permission to place on record (i) the original Special Power of Attorney dated 16.07.2013, and (ii) the subsequent Special Power of Attorney dated 05.03.2018. The learned trial Court, by the impugned order, allowed the application partly, permitting the petitioner to place on record the original Special Power of Attorney dated 16.07.2013, noting that its certified copy had already been exhibited as Ex.P1 but declined permission to bring on record the subsequent Special Power of Attorney dated 05.03.2018 on the ground that it was beyond the pleadings.

4. I have heard learned counsel for the petitioner/plaintiff and, with his able assistance, perused the record carefully.

5. A perusal of the record reveals that the application under Section 151 CPC was filed at the fag end of the proceedings, when the matter stood fixed for rebuttal and final arguments. The Special Power of Attorney dated 16.07.2013, on the strength of which the suit was instituted, already stands proved on record as Ex.P1.

6. The petitioner has failed to establish the relevancy of the subsequent Special Power of Attorney dated 05.03.2018 in the context of the pleadings and issues involved. The learned trial Court has rightly held that a document which is neither pleaded nor forms the basis of the cause of action cannot be permitted to be introduced at such a belated stage.

7. Even during the hearing of the present revision petition, learned counsel for the petitioner was unable to demonstrate how the subsequent Special Power of Attorney would have any bearing on the adjudication of the dispute.

**CONCLUSION**

8. Once the power of attorney forming the basis of the suit already stands exhibited as Ex.P1, there is no justification to allow production of another subsequent power of attorney without any pleading to support it. The trial Court's refusal to permit such production is legally sound and does not suffer from any illegality or perversity warranting interference under revisional jurisdiction.

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

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

August 12, 2025
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(MANDEEP PANNU)
JUDGE

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