



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

124

CR-6019-2025 (O&amp;M)

Date of Decision: 02.09.2025

DHANPAT RAM(DECEASED)

....Petitioner(s)

VERSUS

PALWINDER SINGH

....Respondent(s)

**CORAM : HON'BLE MR. JUSTICE PARMOD GOYAL**

Present: Mr. Ajay Jain, Advocate for the petitioner.

**PARMOD GOYAL, J. (Oral)**

1. The petitioner who is a defendant in a Civil Suit for specific performance aggrieved by impugned order dated 01.08.2025 passed by learned Civil Judge (Junior Division) Sirsa, has approached this Court by way of present revision petition.

2. Vide order dated dated 01.08.2025, prayer made by the defendant vide his application for production of original agreements dated 05.06.2014 and 02.06.2015 (Exhibit D-1 & D-2) or in the alternative to produce the attested copies of these documents, was declined.

3. Prayer of the petitioner/defendant is simple that these documents be produced by the plaintiff either in original or by way of attested copies. However, in reply plaintiff/respondent had categorically taken a stand that agreements are neither in his possession nor can be produced by him. Accordingly, learned Court of First Instance vide impugned order dated 01.08.2025, had dismissed the application preferred by defendant/petitioner.

4. I do not find any error in the impugned order as once documents are not stated to be in possession of plaintiff, no such direction can be given.

5. Faced with above conclusion, learned counsel asserted that learned Court ought to have summoned to Rajesh Batra who had appeared as DW-3 to produce the relevant register which he had not produced on the day he was examined. However, no such prayer had been made in the application, therefore, learned trial Court cannot be faulted.

6. Petitioner, if so advised, may approach the learned Court of First Instance by making an appropriate application in this regard, the same if made, shall be disposed by learned Court of First Instance, in accordance with law.

7. Present petition is disposed off accordingly.

**(PARMOD GOYAL)**  
**JUDGE**

**02.09.2025**

*Deepak Patwal*

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| 1. <i>Whether speaking/reasoned</i> | <i>Yes/No</i> |
| 2. <i>Whether reportable</i>        | <i>Yes/No</i> |