

2025:PHHC:028797



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

229

CR-4643-2019 (O&M)

Date of Decision : 28.02.2025

ARVIND GUPTA AND ANR

.... Petitioners

VERSUS

SHRI SATYA NARAIN BHAGWAN TRUST & ANR

.... Respondents

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

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

Mr. Mani Ram Verma, Advocate for respondent No.1.

ALKA SARIN, J. (ORAL)

1. The present revision petition has been filed challenging the order dated 04.07.2019 passed by the learned Rent Controller, Rewari whereby the application filed by the petitioners herein for production of original of document (Ex.R-4), which the petitioners claimed was in possession of respondent No.1, was dismissed. In the alternative a prayer was made in the application for permission to lead secondary evidence.

2. Reply was filed to the said application wherein it was stated that the writing which was handed over to the Trust was not traceable despite best efforts. The application was dismissed by the Rent Controller vide impugned order dated 04.07.2019. Hence, the present revision petition.

3. Learned counsel for the petitioners would contend that in case the document is not available with respondent No.1, as admitted by it in the

reply, the petitioners should have been afforded an opportunity to lead the secondary evidence.

4. Learned counsel for respondent No.1 states that respondent No.1 has never disputed the said document (Ex.R-4) as also stated in its reply.

5. In view of the stand taken by learned counsel for respondent No.1, there would be no requirement for leading secondary evidence.

6. Present revision petition stands disposed off accordingly. Pending applications, if any, also stand disposed off.

28.02.2025
Aman Jain

(ALKA SARIN)
JUDGE

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