



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

(132)

CR-7317-2025 (O&M)

Date of Decision:-14.10.2025

HARDEEP KAUR

... Petitioner

Versus

VEERPAL KAUR @ TANVEER KAUR

... Respondent

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CORAM: HON'BLE MR. JUSTICE VIRINDER AGGARWAL

Present:- Mr. Gopal Singh Nahel, Advocate,
for the petitioner.

VIRINDER AGGARWAL, J. (Oral)

1. This Civil Revision Petition has been filed under Article 227 of the Constitution of India seeking setting aside the orders dated 01.09.2025 and 11.09.2025 passed by the learned Civil Judge (Senior Division), Talwandi Sabo, vide which, the application under Order XI Rule 12 read with Section 151 of CPC for directing the petitioner/defendant to produce the original sale deeds dated 27.04.2018 was illegally and arbitrarily allowed. The order has been assailed on the grounds that respondent/plaintiff has filed application under Order XI Rule 12 of CPC previously also, calling upon petitioner to place on record written agreement dated 28.04.2018 and has not made any submission for directing petitioner to produce the sale deeds dated 27.04.2018 in that application and this is nothing but a delaying tactics on the part of the respondent/plaintiff. He further pleaded that he has already placed on record certified copies of the sale deeds and has reserved his right to produce the original of the same at the time of leading defence evidence so the Court has committed mistake in passing the impugned order allowing the application



directing the petitioner to produce the original in the Court. He further contended that the Court has further committed an illegality by reviewing its order dated 01.09.2025 vide order dated 11.09.2025 without any application moved by any party as after passing the order dated 01.09.2025, the Court has become *functus officio* and was not competent to pass the subsequent order dated 11.09.2025.

2. I have gone through the papers and record attached with the petition carefully.

3. The suit of the respondent/plaintiff is for declaration claiming himself to be owner in possession of the suit land and the sale deeds in favour of the petitioner being illegal, null and void. The original sale deeds are in possession of petitioner/defendant. Petitioner/defendant was required to produce the original documents along with the written statement in view of the provisions of Order VII Rule 1(A) of CPC as it mandates the defendant to produce the original document along with the written statement or counter claim if any and if the same is not produced, the same cannot be tendered as evidence by the defendant later in the suit except in specific circumstances that too with the permission of the Court for reasons recorded in writing, so it was the obligation on the part of the petitioner to produce the original sale deeds which he has not done and that provided an opportunity for the respondent/plaintiff to move an application for direction to the defendant to produce original sale deeds in the Court, which are necessary for proving her case.

4. The Court while passing the order dated 01.09.2025 allowed the application and has wrongly recorded the production of original writing/agreement mentioned in the written statement instead of original sale deeds which were called by the respondent/plaintiff in her application and that



mistake was corrected by the Court vide *suo moto* order dated 11.09.2025. The Civil Court has inherent powers under Section 151 of CPC and in the exercise of inherent powers, Civil Court has corrected the mistake committed by it in the order dated 01.09.2025. So, perusal of the record clearly shows that there is no illegality or infirmity in the exercise of jurisdiction vested in the Civil Court, as such, finding no merits in the petition and the same is dismissed.

5. Since, the main petition is dismissed, pending miscellaneous applications, if any, are also disposed of.

14th October, 2025
S. Pathania

(VIRINDER AGGARWAL)
JUDGE

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No