

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

CR No. 1424 of 2015 (O&M)
Date of decision: July 10, 2015

Harjinder Singh

...Petitioner

Versus

Rajesh Kumar and another

...Respondents

CORAM:- HON'BLE MR. JUSTICE K. KANNAN

1. **Whether Reporters of local papers may be allowed to see the judgment ?**
2. **To be referred to the Reporters or not ?**
3. **Whether the judgment should be reported in the Digest?**

Present: Mr. Ashish Grover, Advocate,
for the petitioner.

K. KANNAN, J. (Oral)

There is simply no justification for the petitioner to approach before this court to complain that the defendants witnesses had tendered their chief examination by way of affidavit and since they were not present on the date when the case was posted his side was closed. The order closing the side is always subject to variation, if the parties move an application for re-opening the case under Section 151 CPC for recalling witnesses. The court has the power to consider truth of such an averment and pass appropriate order. The procedure has been laid down by this court in a decision in Santosh Kumar Berry Versus Nirmala Devi and others (2013) 1 PLR 404. The petitioner will adopt the procedure and need not to apply to this court in revision. The revision is incompetent and hence dismissed. The petitioner shall have the liberty of approaching the trial court itself for appropriate order in the light of the law laid down in the above said judgment.

July 10, 2015
prem

(K.KANNAN)
JUDGE

