

CR No. 1441 of 2014
Date of Decision: 09.01.2015

SIRI RAM **Petitioner**

VERSUS

MINAXI AND OTHERS Respondents

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

**Present: Mr. V. B. Aggarwal, Advocate
for the petitioner.**

**Mr. S. N. Gaur, Advocate
for respondent No.3.**

**Mr. Aayush Gupta, Advocate
for respondent No.4.**

JASWANT SINGH J. (ORAL)

The plaintiff is in revision aggrieved by the order dated 07.02.2014 passed by the learned Civil Judge (Senior Division) Kurukshetra whereby his application to lead secondary evidence to prove the agreement to sell and receipt of earnest money has been dismissed.

Upon notice Mr. S. N. Gaur, Advocate has put in appearance on behalf of respondent No.3. Mr. Aayush Gupta, Advocate has put in appearance on behalf of respondent No.4, whereas, rest of the respondents remains unserved.

At the time of hearing, it is agreed that the present revision has become infructuous, since, in the meanwhile, the learned trial Court has dismissed the suit of the plaintiff and an appeal before the lower Appellate Court stands filed.

Learned counsel for the plaintiff/petitioner however, prays for liberty to raise all pleas in the pending appeal. To the same, learned counsel for the respondents has no objection.

In view of the above, the present revision petition is disposed of as infructuous with liberty to the petitioner/plaintiff to challenge the impugned order in accordance with law before the lower Appellate Court.

Disposed of.

(JASWANT SINGH)
JUDGE

09.01.2015

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