

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

Civil Revision No.2082 of 2015

Date of Decision: August 17, 2015

Jaimal Singh and another

.... Petitioners

vs.

Karam Singh and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present: Mr. M.K. Dogra, Advocate for the petitioners.

Mr. B.S. Jaswal, Advocate for respondent No.1.

1. Whether Reporters of Local Newspapers 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?

Kuldip Singh J.(Oral)

Impugned in the present revision petition is the order dated 10.03.2015 (Annexure P-12) passed by learned Civil Judge (Jr. Divn.), Baba Bakala, vide which evidence of the petitioners-defendants was closed by order.

I have heard learned counsel for the parties and have also carefully gone through the case file.

A perusal of the file shows that on the said date i.e. 10.03.2015, bailable warrants of AHRC (Assistant Head Registration Clerk), which were earlier issued were not received back. The lower court after noticing that 10 opportunities were granted, closed the evidence of the defendant by order.

It is not disputed that earlier, the learned Civil Judge (Jr. Divn.), Baba Bakala had allowed the examination of the said AHRC

to bring the original sale deed, which was to be examined by the expert. Once, the bailable warrants were issued and these were not executed or received back, it is the duty of the Court to execute the same. Therefore, the present petitioners cannot be said to be at fault for the same.

Accordingly, the impugned order is set aside. The lower court is directed to ensure the presence of said AHRC. After his appearance and production of the documents, one opportunity will be given to the present petitioner to examine the expert at his own risk and responsibility, for this purpose, he will be given the date of his choice and as per convenience of the expert.

In viw of the above, the present revision petition is allowed.

August 17, 2015
sarita

(KULDIP SINGH)
JUDGE