

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

CR No. 309 of 2015

Date of Decision : 02.02.2015

Asha Kumari and others

.....Petitioners

Versus

Karan Pal

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAKESH KUMAR JAIN

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

None for the respondent.

RAKESH KUMAR JAIN, J. (Oral)

On 14.01.2015, notice of motion was issued and *dasti* summons were given for service of the respondent. On 29.01.2015, the following order was recorded:-

“As per office report, sole respondent has been served personally and also through his advocate but he refused to accept this summon. Thus, service is complete. For arguments, to come up on 02.02.2015.”

Since, no one has put in appearance on behalf of the respondent, therefore, counsel for the petitioner is being heard in his absence. Learned counsel for the petitioner has argued that the learned Court below has committed a patent error in passing the impugned order because one of the witness, namely, Dil Sukh was present in the Court in a criminal case.

After hearing learned counsel for the petitioner and

examining the record, the impugned order dated 12.12.2014 is hereby set aside. One more opportunity is granted to the petitioner to examine both the witnesses, namely, Asha Kumari and Dil Sukh for their cross-examination, which shall be done on the date already fixed by the trial Court.

The revision petition stands allowed.

02.02.2015

Naveen

(RAKESH KUMAR JAIN)
JUDGE