

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

C.R. No. 400 of 2015

Date of decision: 19.01.2015

Gurtejinder Singh

....Petitioner(s)

Versus

Veena Khurana and others

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE G.S.SANDHAWALIA

Present: Mr. Sandeep K. Sharma, Advocate, for the petitioner.

G.S.SANDHAWALIA, J. (Oral)

Counsel submits that the petitioner is the legal representative of Jarnail Singh, the original defendant and the legal representatives were brought on record on the filing of application on 17.05.2013 (Annexure P-2). The application was allowed on 22.05.2013 and Parminder Singh, the original counsel for the defendant-Jarnail Singh continued to appear. It is submitted that no notice was issued to the legal representatives of the petitioner. None of them were aware of the proceedings as such. The impugned order was passed on 04.03.2014 thereafter whereby, the application under Section 65 of The Evidence Act, 1872 has been allowed.

There is nothing on record to show that any application was filed before the Court concerned bringing to its notice the irregularity which is alleged to have occurred in bringing on record the Legal representatives and whether any proper notice was issued. The impugned order dated 04.03.2014 pertains to the right to prove the receipt dated 21.02.2006 by way of a secondary evidence.

In such circumstances, counsel does not press the present revision petition and prays for liberty to approach the Court concerned for necessary relief.

Ordered accordingly.

19.01.2015
shivani

(G.S. SANDHAWALIA)
JUDGE