

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

CR No.413 of 2015

Date of Decision: 19.01.2015

Daljit Singh

. . . .Petitioner

Versus

Ravinder Kaur

. . . . Respondent

CORAM: HON'BLE MR.JUSTICE RAKESH KUMAR JAIN

Present: Mr.Vikas Gupta, Advocate,
for the petitioner.

RAKESH KUMAR JAIN, J. (ORAL)

This petition is directed against the order dated 29.10.2013 by which the evidence of the petitioner was closed.

In spite of challenging the order immediately, the petitioner filed an application under Section 151 of the Code of Civil Procedure, 1908 [for short 'the CPC] for allowing him to lead evidence. The said application was dismissed on 22.12.2014 and hence, the present revision petition was filed.

As a matter of fact, the petitioner has challenged the order dated 29.10.2013. As there is no procedure in law which permits the petitioner to challenge the order of the trial Court before the same Court under Section 151 of the CPC, the petitioner could have filed a review application at the most but the said application was not filed and the inherent jurisdiction was invoked under Section 151 of the CPC which is not permissible in law.

In view thereof, keeping in view that there is a huge delay in challenging the order dated 29.10.2013, the present petition is hereby dismissed for delay and latches.

19.01.2015

Vivek

**(RAKESH KUMAR JAIN)
JUDGE**

VIVEK PAHWA
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I attest to the accuracy and
authenticity of this document