

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

CR No.5468 of 2015

Date of decision : 25.08.2015

Bidamo

...Petitioner

Versus

Smt. Nirmala

...Respondent

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL.

1. Whether reporters of local newspapers may be allowed to see judgment ?
2. To be referred to reporters or not ?
3. Whether the judgment should be reported in the Digest ?

Present: Mr. Robin Lohan, Advocate for the petitioner.

AMIT RAWAL, J. (Oral)

Learned counsel for the petitioner contends that the application moved by the petitioner-plaintiff for appointment of the commission for recording evidence has erroneously been dismissed, as the trial Court had not noticed the age of petitioner-plaintiff who is 85 years old lady. He further submits that along with application, medical report was also attached but yet trial Court did not notice this fact. Even in the present revision petition, medical report has been annexed as Annexure P-3.

Since relief sought by the petitioner-plaintiff was within the realm of the Court only and did not effect the rights of respondent-defendant, I deem it appropriate to dispose of the revision petition without

issuing notice to the respondent after taking into consideration the fact that petitioner-plaintiff is 85 years old lady and suffering from many ailments.

In view of provision of Order 26 Rule 1, the application dated 07.02.2014 (Annexure P-2), is allowed.

Impugned order dated 23.07.2015 is set aside. The trial Court is directed to permit the petitioner-plaintiff to examine on commission for recording evidence.

Revision petition stands allowed.

Liberty is granted to respondents to seek modification or review of the order, in case averment made in the application is found to be incorrect.

25.08.2015

pawan

**(AMIT RAWAL)
JUDGE**