

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

CR No. 5916 of 2015 (O&M)

Date of decision: September 10, 2015

Hassim

...Petitioner

Versus

Anil Saini and another

...Respondents

CORAM:- HON'BLE MR. JUSTICE K. KANNAN

1. **Whether Reporters of local papers 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?**

Present: Mr. Rajesh Bansal, Advocate,
for the petitioner.

K. KANNAN, J. (Oral)

1. The plaintiff/petitioner wanted to summon an official witness from the Registrar's office to prove a point that the document propounded by the defendant does not exist. A document of sale which does not exist will bear proof by filing an application for copy of the Wasika and if there is a return form the Registrar's office that there was no such document registered with the particular number, as referred to in the written statement, that will conclude the issue for the plaintiff. The plaintiff is attempting to do an unnecessary act which is not necessary. He had already approached this court to avail for one opportunity to summon the witness. It appears that the witness was served but he did not come and the petitioner, therefore, wanted action for his arrest and for production. In the meanwhile, the case

was transferred to yet another case. The court correctly observed that he was bound to bring the witness at his own risk since the this Court had already granted only one opportunity and in that opportunity he could not get the witness. In a normal situation, where the attendance of such a witness would have been imperative and the non-examination would cause serious harm, I would have allowed the benefit of consideration to the petitioner. From the narration of what the petitioner's counsel states I am convinced that the petitioner is engaging in a needless goose chase and it is not necessary to vary the order already passed.

2. The revision petition is dismissed. However, the plaintiff will be at liberty to recall himself and prove that registration copy of the particular wasika number does not exist.

September 10, 2015
prem

(K.KANNAN)
JUDGE