

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

**CR No. 5946 of 2013 (O&M)
Date of decision: 18.12.2015**

Ravi Kumar

... Petitioner

versus

Ram Gopal Bagga and another

.... Respondents

CORAM: HON'BLE MR. JUSTICE K. KANNAN

Present: Mr. Ashwani Chopra, Senior Advocate, with
Mr. Akshit Chaudhary for the petitioner.
None for the respondents.

K.Kannan, J.

The amendment to the written statement was moved by the defendant along with the copy of the power of attorney of the defendant who is residing abroad. The plaintiff moved an application for rejection of the petition and took an objection even regarding the validity of power of attorney. The Court dismissed the application and held that yet another copy of power of attorney was filed that had been attested outside India and the plaintiff, therefore, cannot have any objection. This order is put to challenge in revision.

Learned senior counsel for the petitioner states that the document produced is only a photocopy and the plaintiff's right to object the validity of the power of attorney has still to be retained for him.

I have no difficulty in accommodating the plea made and I maintain the order already passed allowing an application for amendment attempted to be brought by the defendant. The plaintiff will not be barred from making any objection about the validity of power of

attorney on the basis of which the defendant was trying to legitimize his pleadings. The same will be considered at an appropriate time along with several other issues in the course of trial and while delivering the judgment.

The civil revision petition is dismissed but with above observations.

(K.KANNAN)
JUDGE

18.12.2015
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