

IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH

CR No. 6905 of 2015
Date of decision : October 15, 2015

Bhura Singh @ Ravinder Singh

..... Petitioner

Versus

Gurdev Singh and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present:- Mr. Kashish Garg, Advocate
for the petitioner.

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?

Amit Rawal, J (oral).

The challenge in the present petition is to the impugned order dated 16.9.2015 whereby the defendant Nos. 6 and 7 have been granted liberty to examine themselves, after the order dated 3.7.2014 treating them ex-parte, was set aside vide order dated 11.8.2015 and defendant Nos. 6 and 7 were allowed to participate in the proceedings as the stage of the suit was at final arguments. However, during the interregnum-defendant No.1 had challenged the order whereby his evidence was closed and this Court vide order dated 14.7.2015 granted liberty to defendant No.1 to examine himself subject to payment of costs. After defendant No.1 got himself examined, an application at the instance of defendant Nos. 6 and 7 was moved seeking permission to examine themselves

and defendant Nos. 6 and 7 have been granted opportunity to examine themselves as witnesses. Thus, prays that there is illegality and perversity in the impugned order and it tantamounts to review of the order dated 11.8.2015, which is not permissible.

I have heard learned counsel for the petitioner and appraised the paper book.

Vide the impugned order dated 16.9.2015 (Annexure P-8) vide which defendant Nos. 6 and 7 were granted opportunity to examine themselves was fixed for 3.10.2015. It has been brought to the notice of the Court that today the case is fixed for evidence of defendant Nos. 6 and 7 as they did not lead evidence on 3.10.2015. As per the impugned order, petitioner is given liberty to lead evidence in rebuttal, much less cross-examine the witnesses. In my view, no prejudice would be caused to the petitioner-plaintiff, in case the impugned order is allowed to sustain. Admittedly, the parties to the *lis* are brothers.

I do not find any illegality and perversity in the impugned order and the same cannot be said to have been passed without jurisdiction.

The revision petition is devoid of merits. Accordingly the same is dismissed.

(AMIT RAWAL)
JUDGE

October 15 , 2015
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