

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

CR No. 7977 of 2013(O&M)

Date of decision: 7.12.2015

The Rai Foundation

.....Petitioner

versus

M/s Bhatia Builders and others

.....Respondents

Coram: Hon'ble Mr. Justice Amit Rawal

Present: Mr.R.S.Manhas, 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)

Counsel for the petitioner-defendant No.3 submits that his evidence has been closed by the impugned order. He submits that he has to examine two witnesses as per the provisions of Order 16 Rule 1-A of CPC and two witnesses through the process of the Court.

Mr.R.S.Manhas, learned counsel appearing on behalf of the petitioner submits that no plausible explanation has come forth for not closing evidence by order. He further submits that impugned order suffers from illegality or perversity.

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

In order to render justice between the parties avoidance of miscarriage of justice, I am of the view that appropriate opportunity should

be given to the petitioner-defendant to examine two witnesses as per the provisions of Order 16 Rule 1-A of CPC and two through the process of the Court.

Mr.R.S.Manhas, Advocate submits that diet money in respect of summons proposed to be summoned shall be deposited and the assistance of the Court shall be taken by obtaining dasti summons also.

In view of the aforementioned facts, impugned order is set aside. Petitioner-defendant is granted three effective opportunities to lead its evidence. The revision petition is accordingly allowed.

7.12.2015
Meenu

(AMIT RAWAL)
JUDGE