

117.

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

Civil Revision No.1096 of 2016

Date of decision:12.02.2016

Hirdai Pal Singh

... Petitioner

versus

Balbir Singh and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE K. KANNAN

Present: Mr. Rahul Rampal, Advocate,
for the petitioner.

K.Kannan, J. (Oral)

1. The petitioner says that he will take dasti summons to the 2nd defendant and examine him as a witness to testify the genuineness of his own purchase dated 08.08.2008. The court could not have denied such a process only for the reason that he was ex parte. The defendant has to prove the validity of his own sale and even an ex parte defendant could be summoned. I dispense with notice to ensure that the trial does not get stalled by the pendency of the civil revision and allow the benefit of summoning the 2nd defendant. The court will issue the necessary summons therefor.

2. The revision petition is allowed with the above observations.

**(K.KANNAN)
JUDGE**

12.02.2016

sanjeev