

In the High Court of Punjab and Haryana, at Chandigarh

Civil Revision No. 1379 of 2016

Date of Decision: 23.02.2016

Prem Chand

... Petitioner(s)

Versus

Sunita Hasija and Others

... Respondent(s)

CORAM: Hon'ble Mr. Justice Shekher Dhawan.

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| 1. | Whether reporters of local newspapers may be allowed to see judgment? | Yes |
| 2 | To be referred to reporters or not? | |
| 3 | Whether the judgment should be reported in the Digest? | Yes |

Present: Mr. Sudhir Aggarwal, Advocate
for the petitioner(s).

Shekher Dhawan, J.

Present petition is challenge to the order dated 4.2.2016, passed by learned Civil Judge (Junior Division), Gurgaon, whereby application to lead secondary evidence was dismissed. But the Court below granted permission to summon record of the case file so as to prove the sale deed dated 14.8.2007.

Learned counsel for the petitioner mainly took the plea that validity of the sale deed has already been decided in the earlier litigation and there was no justification for allowing such a sale deed to be proved by summoning the record. However, this plea of learned counsel

for the petitioner is not tenable at this stage because the only controversy before the Court below was whether to allow secondary evidence or not and the Court below rightly decided the application that the said sale deed be proved by summoning the relevant record along with case file.

There is no illegality in the impugned order dated 4.2.2016 and present petition stands dismissed. However, it is made clear that petitioner shall be well within his rights to challenge the validity of the sale deed before the Court below at the time of final arguments.

(Shekher Dhawan)
Judge

February 23, 2016

"DK"