

In the High Court of Punjab and Haryana, at Chandigarh

Civil Revision No. 1792 of 2014

Date of Decision: 08.02.2016

M/s Subline Chit Fund Company Private Limited

... Petitioner(s)

Versus

Sewa Singh Sarhadi and Others

... Respondent(s)

CORAM: Hon'ble Mr. Justice Shekher Dhawan.

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. Pardeep Rajput, Advocate
for the petitioner(s).

Shekher Dhawan, J.

Petitioner has challenged the order dated 6.1.2014 vide which application dated 4.1.2014 praying for summoning the complaint file from the record room was dismissed.

Learned counsel for the petitioner submitted that earlier, petitioner was in custody in case FIR No. 86 dated 3.5.2012 registered under Section 420 IPC and as such he could not attend the Court below from 16.5.2012 to 31.10.2013. Later on, petitioner came to know that photocopies of original documents were placed on file and for that purpose, an application was filed on 4.1.2014 for summoning the file of complaint case so that photocopies can be duly exhibited. The said

application was dismissed vide impugned order dated 6.1.2014 and the said order be set aside.

Learned counsel for the respondents submitted that evidence of the petitioner was closed by Court order. Learned counsel for the respondents also submitted that Managing Director of the plaintiff company was already examined as PW.1 and there was no justification for acceptance of application dated 4.1.2014. More so, even in application dated 4.1.2014, applicant has not detailed any purpose for which the witness was being summoned and documents are required to be accepted and there is no ground to set aside the impugned order.

Having considered the submissions made by learned counsel for the parties, this Court is of the considered view that impugned order does not call for any interference because earlier, petitioner's evidence was closed by order on 1.2.2014 after availing so many adjournments, whereas issues were framed on 13.8.2009. No case was made out in the application dated 4.1.2014 for leading evidence which has already been denied vide order dated 1.2.2014. Otherwise, both the parties have already led their respective evidence and the case is now fixed for final arguments. There is absolutely no illegality in the order dated 6.1.2014 and present petition stands dismissed being devoid of any merit.

(Shekher Dhawan)
Judge

February 8, 2016

"DK"