

IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH

CR No. 2563 of 2016
Date of decision : April 8, 2016

Naveen Thakran

..... Petitioner

Versus

Smt. Kavita Thakran

..... Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present:- Mr. Rajiv Kumar Saini, 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 Annexure P-8 whereby the trial court ordered for summoning of the respondent by way of publication in the newspaper "Daily Ashiana" for 19.4.2016 on filing of requisite charges.

Learned counsel for the petitioner submits that as per report dated 15.3.2016 the respondent had already been served as there was a report of refusal but the court on 22.1.2016 ordered for summoning through courier at both the addresses but notices issued at Bhiwani address reported as unserved as she is not residing there and on the second address it is reported that courier issued on Gurgaon address is not returned back.

On the next date i.e. 16.3.2016 the court rejected the

plea of the petitioner that respondent is duly served earlier and that respondent is a practicing lawyer and intentionally avoiding the service and be proceeded against ex-parte. There was no occasion for the court to issue publication without recording satisfaction.

I have heard learned counsel for the petitioner and appraised the paper book and of the view that even if the respondent is a practicing lawyer, the court has to order for postal courier and has to wait for the report that she is not residing at the address given. In case, she was not found at the given address, how could she be present there earlier at the same address, rightly so the court below ordered for effecting service through publication.

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

April 8 , 2016
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