

Civil Revision No.4166 of 2016 (O&M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

C.R.No.4166 of 2016 (O&M)

Date of Decision: July 14, 2016

Sri Lal (now deceased) through L.Rs. & others

...Petitioners

Versus

Hari Singh & others

...Respondents

CORAM: HON'BLE MR.JUSTICE AMIT RAWAL, JUDGE

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?

Present: Mr.Gaurav Gupta, Advocate,
for the petitioners.

AMIT RAWAL, J. (Oral)

CM No.12967-CII of 2016

Prayer in the present application is for impleading the L.Rs
of Sri Lal petitioner.

Allowed subject to all just exceptions for the purpose of
prosecuting this case only.

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Petitioner-plaintiffs are aggrieved of the impugned order,

whereby the application (Annexure P-3) for summoning the witnesses

without disclosing the reasons and purpose, has been dismissed.

It is settled law that for seeking indulgence of the trial Court, particularly for additional evidence, the reasons and purpose have to be assigned. Petitioner-plaintiffs had already availed seven opportunities to lead evidence and they, at that time, did not furnish the list of the aforementioned witnesses. The prayer in the suit is for permanent injunction restraining defendant No.2 in collusion with defendant No.1 from selling and alienating the suit property or not to dispossess the plaintiffs without paying the share amount on the basis of the affidavit dated 5.10.2002 allegedly written by defendant No.1.

The plaintiffs have to stand on their own legs. They have already led evidence in affirmative. In the absence of the reasons, I am of the view that the present application is not conforming to the requirement of law and rightly so, the same has been dismissed. The order cannot be said to have been passed without jurisdiction.

Revision petition stands dismissed.

July 14, 2016
ramesh

(AMIT RAWAL)
JUDGE