

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CR-512 of 2014 (O&M)

Date of Decision:-01.04.2016

Vijender Singh and others

...Petitioners

Versus

M/s Aakarshan Estate Pvt. Ltd. and others

...Respondents

CORAM: HON'BLE MR.JUSTICE SHEKHER DHAWAN

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. Sanjay Vij, Advocate,
for petitioners.

Mr. Anand Chhibbar, Senior Advocate with
Mr. Vaibhav Sahni, Advocate,
for respondent No.1.

SHEKHER DHAWAN, J.

Present petition is challenge to the order dated 16.10.2013 (Annexure P-1) whereby application under Order VIII Rule 1A CPC, 1908 was allowed and applicant-defendant was allowed to produce two receipts dated 18.07.2005; and order dated 06.01.2014 whereby review application was dismissed with the observation that agreement dated 15.07.2005 has already been exhibited on 25.10.2013 and the same cannot be de-exhibited or rejected at that stage.

Learned counsel for the petitioner, during the course of arguments, fairly conceded that he has no objection if these two receipts are allowed to be produced on record in compliance with order dated 16.10.2013.

In view of the above, the present petition qua challenge to said order stands dismissed.

However, as regards to the challenge to the order dated 06.01.2011 whereby review application was dismissed, the petition is disposed of with the direction that this aspect regarding taking into consideration the agreement dated 15.07.2005 shall be decided by the trial Court at the time of decision of the suit after taking into consideration the evidence available on file and relevant provisions of the law.

With these directions the present petition stands disposed of.

April 01, 2016
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(SHEKHER DHAWAN)
JUDGE