

IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH

CR No. 5517 of 2015(O&M)
Date of decision : April 26, 2016

Smt. Ishwar Devi & others

..... Petitioner

Versus

Smt. Kako Bai and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present:- Mr. Babbar Bhan, Advocate
for the petitioners.

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 petitioner-plaintiff is aggrieved of the impugned order dated 28.7.2015 whereby learned trial court called upon the petitioner-plaintiff to furnish the correct address of defendant No.1.

Learned counsel for the petitioner submits that regarding service, the trial court on the adjourned date i.e. 17.4.2015 erroneously observed that service through publication was effected upon defendant No.2 only and petitioners have been called upon to serve defendant No.1 whereas service has already been effected through publication. This Court had issued notice of motion on 27.8.2015 but there is no representation, perhaps as defendants despite publication did not appear before trial court.

He further submits that since suit is at the initial stage of service of respondents, it would be futile exercise to effect service by this Court. This Court while issuing notice of motion seen

copy of publication whereby service upon defendant Nos. 1 and 2 has been effected.

Accordingly, the impugned order is set aside. The trial court is directed to proceed with the trial after going through the publication caused in the newspaper, in accordance with law.

The civil revision stands allowed.

(AMIT RAWAL)
JUDGE

April 26, 2016
archana