

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

-.-

CR 999 of 2016

Date of decision: 10.02.2016

Manjit Singh and another

..... Petitioners

Versus

Gurcharan Singh and others

..... Respondents

Coram: Hon'ble Mrs. Justice Rekha Mittal

-.-

Present: Mr. Vineet Chaudhary, Advocate
 for the petitioners

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1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporter or not?
3. Whether the judgment should be reported in the Digest?

Rekha Mittal, J. (Oral)

The present petition has been directed against the order dated 23.10.2015, dismissing the application filed under Order IX Rule 7 read with Section 151 of the Code of Civil Procedure (in short, CPC) for setting aside the ex-parte proceedings in a suit for declaration filed by respondents No. 1 and 2.

Counsel for the petitioners has fairly conceded that as interest of the petitioners and that of plaintiffs/respondents No. 1 and 2 are the same and the plaintiffs are already contesting the authenticity and correctness of the Wills dated 07.12.1995 and 29.05.1996, set up by defendants No. 1 to 3 in the original suit, the petitioners do not claim to have an opportunity to cross examine the witness(es) already examined in the case after remand of the suit by this Court on 11.05.2010 but the petitioners may be allowed to join the proceedings, at this stage.

Heard.

In view of the limited prayer made by the petitioners, the petition stands disposed of with a direction that the petitioners are allowed to join the proceedings pending before the trial Court, at this stage, but they shall not press for recalling of any of the witness(es), already examined after remand of the case, during their absence.

(Rekha Mittal)
Judge

10.02.2016

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