

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

SAO No.23 of 2015 (O&M)

Date of decision: 25.05.2016

Jasbir Singh

....Appellant

Versus

Guru Nanak Public School Trust and others

....Respondents

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present: Mr. Kanwaljit Singh, Sr. Advocate
with Mr. Sharvan Sehgal, Advocate for the appellant.

Mr. Sumeet Mahajan, Sr. Advocate
with Mr. Amit Kohar, Advocate for respondent No.1.

REKHA MITTAL J. (Oral)

Counsel for the parties are *ad idem* that the impugned order dated 17.12.2014 passed by the Additional District Judge, Ludhiana, setting-aside the judgment and decree dated 29.08.2011 passed by the trial Court and remitting the matter to the trial Court for adjudication afresh be set-aside and the matter be remitted to the First Appellate Court for decision of the appeal afresh on the basis of materials already adduced on record before the trial Court as well as the report dated 18.04.2015 received from the trial Court in pursuance of order dated 04.03.2015 passed by this Court.

Disposed of accordingly. It is clarified that even though the order passed by the First Appellate Court has been set-aside but still the report received on Issue No.8 shall be read into evidence for the purpose of decision of the appeal. The parties are directed to appear before the First Appellate Court on 12.07.2016. Original report dated 18.04.2015 be sent to the First Appellate Court after retaining a photocopy thereof on the record of this case.

25.05.2016

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**(REKHA MITTAL)
JUDGE**