

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

CR No. 1806 of 2014

Date of decision : 30.01.2017

Romesh Kumar

...Petitioner

V/s

Roshan Lal & ors.

...Respondents

BEFORE : HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Satbir Rathore, Advocate for the petitioner.

Mr. K.S. Cheema, Advocate for respondents no. 1 to 3.

RAJAN GUPTA J.

Present revision petition is directed against the order passed by Civil Judge (Jr. Division), Mukerian whereby onus of proving issue no. 2 has been shifted on the defendants.

Learned counsel for the petitioner submits that while passing the order, court below has not given any view about the judgment cited by him reported as *Pritam Singh vs. Raj Kumar 2013(4) RCR (Civil) 126*. Besides, impugned order is unsustainable.

I find substance in this plea. Under the circumstances, order under challenge is hereby set-aside. Matter is remitted to same court for decision afresh after hearing the parties.

Revision petition is allowed in these terms.

January 30, 2017

Ajay

(RAJAN GUPTA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No