

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

CR No.2068 of 2017 (O&M)

Date of decision: March 22, 2017

Archana Sharma

...Petitioner

Versus

Ramesh Kumar and others

...Respondents

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Aman Sharma, Advocate
for the petitioner.

JASPAL SINGH, J.(ORAL)

By virtue of the instant petition preferred under Article 227 of Constitution of India, petitioner has sought setting aside the order dated 16th March, 2017 (Annexure P-3) passed by learned Civil Judge (Senior Division), SAS Nagar, Mohali.

The contention of learned counsel for the petitioner is that on 16th March, 2017, three witnesses were present for their examination in rebuttal evidence who were summoned by the Court concerned. Even the report of the Ahlmad also reveals that the summons issued to the witnesses were received back duly served, however, their presence was not marked rather it finds mention in the impugned order dated 16th March, 2017 that no rebuttal evidence is present.

A glance at the various documents available on record reveals that on the basis of an application moved by the petitioner, the summons were issued to the official witnesses who came present but have not been examined so far before the trial Court.

Without commenting much upon the impugned order(s), the instant petition is disposed of with direction to the trial Court to examine the witnesses who have been summoned on the basis of an application dated 14th March, 2017 and then to proceed to decide the suit on merits.

Disposed of.

March 22, 2017
m. sharma

(JASPAL SINGH)
JUDGE

Whether Speaking/Reasoned	:	Yes/No
Whether Reportable	:	Yes/No