

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

CR No.5156 of 2017

Date of Decision: 04.08.2017

Amarjit Singh and another

.....Petitioners

Vs.

Navjot Kaur minor through Harjit Kaur and another.....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present:- Mr.Mandeep Kumar Dhot, Advocate, for the petitioners.

RITU BAHRI, J. (ORAL)

Petitioner has come up in revision against the impugned order dated 18.07.2017 (Annexure P-3) whereby, defence of the petitioner was closed by order by learned Civil Court in Civil Suit No.668 of 2015, which was filed by the respondent No.1 against the petitioners and respondent No.2.

Learned counsel for the petitioner has referred to summoning report (Annexure P-2), whereby, the other witness namely Sh.Pankaj Bansal, Advocate, who was the subscriber of the sale deed was not served. As per the report of the process server he does not come regularly to Judicial Complex, Sangrur and comes only occasionally as he is not practicing in Sangrur and he is practicing at Tehsil Complex Bhawanigarh. The case was adjourned for 13.07.2017 and on 18.07.2017 but due to his non-appearance, the evidence of the petitioner was closed. He further submits that the evidence of this witness is very much essential for proving the execution of the sale deed which was challenged by the respondent No.1.

In view of the above, the impugned order dated 18.07.2017 is set aside and direction is being given to the trial Court to summon this witness again.

Revision is allowed accordingly.

**(RITU BAHRI)
JUDGE**

04.08.2017

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<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>