

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CR No.8877 of 2017

Date of decision: 18.12.2017

Rajender Singh

....Petitioner

V/S

Sunita and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE B.S. WALIA

Present : Mr. Surender Singh Hooda, Advocate for the petitioner.

B.S WALIA, J. (Oral)

[1] Learned counsel contends that the plaintiff-petitioner is 87 years old, does not keep good health, besides is residing outside the jurisdiction of the Court at Jhajjar where the civil suit, out of which the present revision petition emanates, is pending. Petitioner seeks a direction to the learned Civil Court to record his evidence at the earliest in view of his extreme old age and ill-health as also to decide the suit expeditiously in the peculiar circumstances of the case on the ground that the suit is based on allegations of fraud and no other person would be able to prove the fraud committed by the respondents-defendants except the plaintiff-petitioner himself.

[2] On query, learned counsel for the petitioner concedes that the revision petition has been filed straightaway without moving an application before the learned trial Court in respect of the prayers as have been made in this petition.

[3] After hearing learned counsel for the petitioner, I am of the considered view that the matter can be disposed of at the threshold without issuing notice to the respondents by relegating the petitioner to move an appropriate application before the learned trial Court with the prayers as are the subject matter of this petition. Needless to mention, if any such application is moved by the petitioner, the same shall be considered and decided in accordance with law as expeditiously as possible preferably within a period of four weeks from the date of moving of application alongwith copy of order of this Court.

[4] Revision petition disposed of as above.

December 18, 2017

sonia

**(B.S. WALIA)
JUDGE**

Whether speaking/reasoned : Yes/No.
Whether reportable : Yes/No.