

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

**CR No. 1719-2017 (O&M)
Date of Decision : 29.01.2018**

Dinesh Singh

..... Petitioner

Versus

**Dharampal (since deceased)
through LRs**

..... Respondent

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Sumit Gupta, Advocate for petitioner.

Mr. Sandeep Thakan, Advocate for respondent.

1. *Whether the Reporters of local newspaper may be allowed to see the judgment ?*
2. *To be referred to the Reporter or not.*
3. *Whether the judgment should be reported in the digest ?*

KULDIP SINGH J. (ORAL)

Heard.

Impugned in the present revision petition is the order dated 7.12.2016 (Annexure P-5) passed by learned Civil Judge (Junior Division), Mahendergarh vide which an application filed by the plaintiff-petitioner under Order 18 Rule 17 of the Code of Civil Procedure, 1908 was dismissed.

Learned counsel for the petitioner states that plaintiff-petitioner appeared as a witness and has made statement regarding pronote and receipt. However, inadvertently, exhibits could not be put on the pronote and receipt. This came to the notice of the counsel at the time of final arguments. Therefore, petitioner want to re-examine the plaintiff only to make one line statement that pronote and receipts are exhibited as mentioned in application Annexure P-3.

I am of the view that this is merely a technical matter and on the ground of technical defects, case is not to be thrown out. As such the additional evidence is allowed only to the effect that plaintiff is allowed to appear and make statement, as stated above, to exhibit pronote and receipt, subject to just objections that may be raised by the defendants. No further evidence shall be allowed and the Court can proceed with further hearing in the matter.

Accordingly, revision is allowed and the order passed by the learned Civil Judge, (Junior Division), Mahendergarh is set aside.

(KULDIP SINGH)
JUDGE

29.01.2018
preeti

Whether speaking / reasoned	Yes
Whether Reportable:	No