

Civil Revision No. 4346 of 2016

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Civil Revision No. 4346 of 2016
Date of Decision : 06.02.2018

Sneh Lata

...Petitioner

Versus

Suresh Kumar and others

...Respondents

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present: Mr. Rajan Bansal, Advocate for the petitioner.

Mr. M.K. Garg, Advocate for the respondents.

Kuldip Singh, J.(Oral)

Impugned in the present revision petition is the order dated 21.05.2016 (Annexure P-6) passed by Additional Civil Judge (Sr. Divn.), Phul, District Bathinda, vide which the present petitioner Sneh Lata, who is the wife of Suresh Kumar, had been summoned along with the record and her application refusing to produce the account books without putting in appearance was dismissed.

Heard.

I am of the view that the present petitioner is the Proprietor of firm M/s Sneh Sales Corporation, Rampura Phul, District Bathinda. She has been summoned along with the account books, bill books, receipt books of the said firm from the year 1998-99 to 2013-14. She has been summoned in independent capacity to produce some documents.

Learned counsel for the petitioner states that he has got protection under Section 130 of the Indian Evidence Act, 1872 regarding production of these documents.

I am of the view that in this case the present petitioner is not putting in appearance despite issuance ofailable warrants. She moved an application without putting in appearance.

In the circumstances, the present petition is disposed of with a direction to the petitioner to appear before the trial Court along with the summoned record. She is directed to carry the record in sealed cover and produce it before the Court and thereafter raise the plea that the said record is protected under Section 130 of the Evidence Act or any other Provision. If such objections are raised, let the trial Court consider and decide the same and then proceed with the matter.

Disposed of.

February 06, 2018
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(KULDIP SINGH)
JUDGE

Whether speaking/reasoned? *Yes*

Whether reportable? *No*