

IN THE PUNJAB & HARYANA HIGH COURT AT CHANDIGARH

CR-8482-2014

Date of decision : 25.10.2018

Harpal Singh

... Petitioner

Versus

Nirbhai Singh and others

... Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. G. S. Nahel, Advocate
for the petitioner.

Mr. Ashok Bhardwaj, Advocate
for respondent no.1.

AMOL RATTAN SINGH, J.(ORAL)

Though learned counsel for the petitioner has relied upon a judgment of this court in ***Bhupinder Kumar and another vs. Ajay Pal Goyal and another, 2012(1) PLR 717***, as also of co-ordinate Benches of the Andhra Pradesh High Court and Rajasthan High Court in ***Mudimela Konda Reddy vs. Gona Nagi Reddy and others, 2010(6) ALT 658*** and ***Rajendra Ghiya vs. Sushila Gehlot & Another, 2010 WLC (Raj) (UC) 359***, to submit that interrogatories could not have been allowed at the fag end of the trial, in the opinion of this Court, as regards the impugned order dated 17.11.2004 (copy Annexure P-4), directing the petitioner to prove his identity by way of a voter card/ration card/Aadhar card etc., I see absolutely no reason to interfere with that order, it simply being one that could have been passed by that Court even invoking its inherent jurisdiction under Section 151, simply to determine the identity of the petitioner.

As regards the order of the same date, a copy of which is

context of the interrogatories (copy Annexure P-2) made by the said respondent (plaintiff), he restricts the same to clause (e) of paragraph 3 of the said interrogatories, i.e. with regard to the proof of identity of he petitioner (defendant no.3).

That being so, the petition is partly allowed to the extent that the order Annexure P-5 would be restricted to the petitioner proving his identity only.

(AMOL RATTAN SINGH)
JUDGE

October 25, 2018.
D.K./dinesh

Whether speaking / reasoned	Yes/No
Whether reportable	Yes/No