

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR 8927-2015 (O&M)
Date of decision: 07.05.2018

Yashvir Saini

.....Petitioner

versus

Mahinder Rani Lamba and others

.....Respondents

CORAM: Hon'ble Mr.Justice Kuldeep Singh

Present: Mr.Ashwani Bakshi, Advocate for the petitioner
Mr.Deepak Girotra, Advocate for respondent no.1

- 1. Whether Reporters of Local Newspapers may be allowed to see the judgment ?*
- 2. To be referred to the Reporters or not ?*
- 3. Whether the judgment should be reported in the Digest?*

Kuldeep Singh, J. (Oral)

Impugned in the present revision is the order dated 15.12.2015 passed by learned Civil Judge (Junior Division), Rohtak, vide which, application filed by the plaintiff to lead additional evidence at the stage of arguments, was partly allowed to the extent that copy of the summoning order dated 16.4.2015 passed by learned Judicial Magistrate First Class, Rohtak was allowed to be placed on record, whereas the affidavit of one Sunny Bhatnagar was not allowed to be brought on record.

I have heard learned counsel for both the parties and have also carefully gone through the file.

It comes out that the suit is for recovery of the arrears of lease money. The summoning order was subsequent event and therefore, copy of the same was ordered to be placed on record. Summoning order is a Judicial order and is per se admissible. However, it is not so about the

affidavit of Sunny Bhatnagar. Prayer in the application is for placing on record the affidavit of Sunny Bhatnagar. It is stated that the counsel has already been examined. However, there is no prayer for summoning the witnesses to prove the said affidavit. Therefore, merely placing the said affidavit on file will be a useless exercise. It being so, there is no illegality or infirmity in the impugned order.

Resultantly, the present revision petition stands dismissed.

07.05.2018

gk

(Kuldip Singh)
Judge

Whether speaking/ reasoned:

Yes

Whether Reportable:

No