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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR No. 8577 of 2017 (O/M)

Date of decision : 10.1.2018

Puran Chand (since deceased) represented by Anil Kumar Petitioner

Versus

Madan Lal and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Saurabh Garg, Advocate, for the petitioner.

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 ?

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KULDIP SINGH J. (ORAL)

Petitioner is aggrieved of the order dated 21.11.2017 (Annexure-P-6), passed by the learned Civil Judge (Junior Division), Kaithal, vide which his application under Order 16 Rule 1 CPC for summoning the witnesses was dismissed on the ground that list of witnesses was filed after 15 days.

Heard.

The learned counsel for petitioner states that he is ready to take the summons dasti and produce all the witnesses at his own risk and responsibility.

As such, I am of the view that since the matter needs to be decided on merits, the plaintiff should be given an opportunity to prove his case. Therefore, without going into the merits of the case, instant revision is allowed and petitioner is allowed to file the list of witnesses before the trial Court and take summons dasti and produce all the witnesses at his own risk and responsibility before the trial Court. Therefore, revision is allowed.

(KULDIP SINGH)
JUDGE

10.1.2018

sjks

Whether speaking / reasoned : Yes

Whether Reportable : No