

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

Date of decision : 3.5.2019

(1) CR-2347-2019 (O&M)

Gurmeet Singh @ Gurmit Singh Petitioner

Versus

Kotak Mahindra Bank Ltd. and others Respondents

(2) CR-2389-2019 (O&M)

Kuldeep Singh Petitioner

Versus

Kotak Mahindra Bank Ltd. and others Respondents.

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Priyanshu Kamra, Advocate for the petitioner.

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KULDIP SINGH, J.

Heard.

This order shall dispose of the above mentioned two civil revision i.e. CR-2347-2019 and CR-2389-2019. For brevity the facts are being taken from CR-2347-2019.

Petitioner seeks setting aside of the order dated 18.3.2019 passed by Civil Judge (Junior Division) Abohar (Annexure P-1) vide which an application filed by the petitioner under Section 151 of the Code of Civil Procedure for summoning some documents and witnesses along with record was dismissed.

A perusal of the impugned order dated 18.3.2019 (Annexure P-1) shows that the case is ripe for arguments. Plaintiff-petitioner availed so many opportunities for leading rebuttal evidence which was ultimately closed on 11.2.2019. Now the plaintiff-petitioner has filed an application stating that he want to summon certain records for which the witnesses have to be summoned. Plaintiff wants to summon the reader of the office of Superintendent of Police along with the application filed by defendant bank for alienation of the suit property by the plaintiff. He also wants to summon the record keeper/dealing clerk of Bank of Baroda, Abohar to bring all details of the bank drafts with definite information with regard to his presence and encashment of cheques mentioned in the application. He further wants to summon the record keeper/dealing clerk of Kotak Mahindra, Bank to bring record of filing of complaint under Section 138 of the Negotiable Instruments Act.

A perusal of the file shows that the suit is for mandatory injunction directing the defendant-Bank to return the cheques which are alleged to have been taken as security. It appears that plaintiff wants to delay the disposal of the suit. He has already availed sufficient opportunities. The main issue in this case would be whether the cheques were given as security or not and whether these are to be returned? The evidence otherwise is apparently frivolous and aimed at delaying the disposal of the case.

In view of above, no ground is made out to interfere in the impugned order dated 18.3.2019 passed by Civil Judge (Junior Division) Abohar.

Both the petitions stand dismissed.

A photocopy of this order be placed on the connected file.

(KULDIP SINGH)
JUDGE

3.5.2019
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Whether speaking / reasoned	Yes/No
Whether Reportable:	Yes/No