

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

**SAO No. 68 of 2004 (O&M)
Date of Decision: April 29, 2019**

Amrik Singh

.....APPELLANT

VERSUS

Smt. Santokh Kaur and others

.....RESPONDENTS

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. S.S. Swaich, Advocate
for the appellant.

Mr. R.S. Bajaj, Advocate
for the respondents.

SURINDER GUPTA, J.(Oral)

Heard.

With the consent of learned counsel for the parties, the order
passed by the Ist Appellate Court is modified as follows:-

- (i) The Ist Appellate Court will frame additional issues as per the amendment allowed, after taking written statement/replication, as required;
- (ii) On framing of additional issues, the file of trial Court be sent back with a direction to the trial Court to record evidence of the parties on the additional issues, record findings and sent its report to the Ist Appellate Court;
- (iii) On receipt of report of the trial Court, the Ist Appellate Court will take the objections, if any filed by either party to that report; and

- (iv) The Ist Appellate Court will then proceed to decide the appeal on merits and record its findings on the issues/additional issues framed by the trial Court as well as by the Ist Appellate Court.

The parties are directed to appear before the Ist Appellate Court/Successor Court on 29.05.2019, on which date, file of Civil Appeal No. 71 of 08.05.2002 decided on 26.08.2004 shall be taken on Board and proceed further as per the above observations.

Disposed of.

April 29, 2019.
Jyoti-II

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned:
Whether Reportable:

Yes/No
Yes/No