

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

CR-5059-2019 (O&M)
Date of decision: 05.09.2019

Sanjay Tanwar

...Petitioner

Versus

Kusum Lata

...Respondent

CORAM: HON'BLE MR.JUSTICE H.S. MADAAN

Present: Mr. Kulbhushan Kataria, Advocate for the petitioner.

H.S. MADAAN, J. (Oral)

This revision petition is directed against order dated 29.07.2019, passed by Addl. Civil Judge (Jr. Divn.) Sonapat, vide which, the said Court had dismissed an application under Section 151 CPC filed by the plaintiff Sanjay Tanwar for summoning the concerned clerk of Superintendent of Police, Sonapat along with record. Plaintiff is feeling aggrieved by the said order and has approached this Court, by way of filing the present revision petition, praying that the order dated 29.07.2019 be set aside and his application under Section 151 CPC be allowed.

I have heard learned counsel for the revisionist besides going through the record.

Respondent Kusum Lata is wife of revisionist Sanjay Tanwar. Their marriage did not work and resultantly, it was dissolved. A divorce deed dated 23.03.2014 was prepared, in which, it was settled that the petitioner would pay Rs.7 lacs and Rs.1,25,000/- to the

respondent/wife. The petitioner paid Rs.8,25,000/- to the respondent. The parties were involved in litigation, which got terminated. The respondent had given her statement before the Superintendent of Police, Sonapat with regard to receiving payment of Rs.8,25,000/-, subsequently, she denied that fact and her signatures on the documents prepared in that regard. As such, the plaintiff wanted to summon that record. The trial Court had dismissed the application, vide impugned order dated 29.07.2019, the operative part of which runs as follows:-

“The present application is filed to summon concerned clerk of Superintendent of police, Sonapat Haryana, however, the applicant/plaintiff has not mentioned which original application and statement of petitioner and respondent and others document are to be summoned. The application is completely vague. The applicant has not only mention how these documents could be relevant for proving the case of the plaintiff. Further alongwith the application the copy of the documents for which the present application is filed is not attached. The applicant has completely failed to prove the exact nature of the documents which is required to be proved and how those documents will be relevant for the case of the plaintiff. Hence the present application stands dismissed. Adjourned to 16.08.2019 for rebuttal evidence, if any and arguments.”

The order is quite detailed and well reasoned. It does not suffer from any illegality or infirmity, much less apparent on the face of it, which might have called for interference by this Court, while exercising revisional jurisdiction. Thus, finding no merit in the revision petition, the same stands dismissed.

05.09.2019
sumit.k

(H.S. MADAAN)
JUDGE

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