

In the High Court of Punjab and Haryana, at Chandigarh

Civil Revision No. 2428 of 2020

Date of Decision: 08.04.2021

Jeet Singh and Another

... Petitioner(s)

Versus

Karnail Singh

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.

Present: Mr. Avtar Singh Khinda, Advocate
for the petitioners.

Mr. Jagjit Singh, Advocate
for the respondent.

Anil Kshetarpal, J.

Through this revision petition, filed under Article 227 of the Constitution of India, the petitioner assails the correctness of the order dated 12.03.2020, passed by the learned Additional Civil Judge (Senior Division), Kapurthala, while dismissing the application filed under Order XVIII Rule 17 to permit the defendants to recall the plaintiff for the purpose of confronting him with the vakalatnama/power of attorney executed in favour of the Advocate.

The plaintiff, in the present case, is a practicing Advocate. It is alleged by the defendants that they had engaged the plaintiff in a litigation and during that period, the plaintiff obtained their signatures on certain blank papers, which are alleged to have been used for fabricating an agreement to sell.

ground that the plaintiff has already been cross-examined at length and therefore, no ground to grant further opportunity to the defendants is made out.

In the peculiar facts of the case, the learned trial Court should have been more considerate. This is a case where the defendants are now forced to litigate against their own previous counsel.

Keeping in view the aforesaid facts, the present revision petition is allowed and the order dated 12.03.2020 is set aside. The application for permission to recall the plaintiff-Karnail Singh is allowed subject to the payment of ₹ 500/- as costs.

(Anil Kshetarpal)
Judge

April 08, 2021
“DK”

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No