

2023:PHHC:096912

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

CR-2743-2019 (O&M)

Date of decision: 28.07.2023

Gurmukh Singh

..Petitioner

Versus

Gian Singh

.Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr. I.P.S.Kohli, Advocate for the petitioner
Mr. Prateek Pandit, Advocate for the respondent

ANIL KSHETARPAL, J (Oral)

In this revision petition, the petitioner challenges the correctness of the order passed by the court on 14.02.2019, while striking out the deposition of Sh.Arjan Singh, Chowkidar, who has appeared as AW2. The main proceedings under Order IX Rule 13 of the Code of Civil Procedure, 1908, to set aside ex-parte proceedings stated to be pending before the trial court.

After having argued the case at sufficient length, learned counsel representing the parties have arrived at a consensus. It has been agreed between them that the court while finally deciding the application under Order IX Rule 13 of the Code of Civil Procedure, 1908, will be free to examine the admissibility of such evidence.

In the opinion of the court, such course of action would be appropriate. In view of the aforesaid facts, the revision petition is disposed of.

All the pending miscellaneous applications, if any, are also disposed of.

28.07.2023

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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No

**(ANIL KSHETARPAL)
JUDGE**