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2023:PHHC:151561

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

CR-4554-2023

Date of decision: 29.11.2023

RAJPREET SINGH DEOL

.... Petitioner

Versus

HARBAGH SINGH AND ORS.

.... Respondents

CORAM: HON'BLE MR. JUSTICE GURBIR SINGH

Present: Mr. Aayush Gupta, Advocate, for the petitioner.

Mr. J. S.Gill, Advocate, for the respondents.

GURBIR SINGH, J. (Oral)

Prayer in this revision petition filed under Article 227 of the Constitution of India is for setting aside the order dated 19.04.2023 passed in Civil Suit No.2817 of 2015 by learned Civil Judge (Junior Division), Ludhiana, whereby the application filed under Section 65 of the Indian Evidence Act for leading secondary evidence has been dismissed.

The only short prayer made by the learned counsel for the petitioner is that the petitioner be allowed to move a fresh application under Section 65 of the Indian Evidence Act, as his earlier application was dismissed on the ground that it was filed by Sukhdev Singh, a third person.

Learned counsel for the respondents has no objection to the prayer made by learned counsel for the petitioner, however, submits that the case is being delayed.

The present petition is disposed of with liberty to the petitioner to file a fresh application within a week from today and the trial Court shall decide the same within a month thereafter.

It is made clear that the observations made in the impugned order shall not come in any way while deciding the application.

(GURBIR SINGH)
JUDGE

November 29, 2023
sanjeev

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