

Mitter Sain Goyal Vs. State of Punjab

CS/3585/2021.

Present Sh. H.R Dhanda Adv., for plaintiff  
Ms. Manjinder Kaur G.P for defendant.

Heard on application moved by the plaintiff for amendment of the list of witnesses. It has been averred in the that Sh. Surjit Singh Pattar, Chairman of the Punjab Art Council Chandigarh was summoned as witness alongwith records but unfortunately he has died and now Sh. Swaranjit Singh has been appointed as Chairman on his place. As such, prayer has been made that list of witnesses may be amended and Sh. Swaranjit Singh Savi be summoned as witness along with additional record.

Upon notice, Ld. G.P for the defendant filed reply and submitted that neither the death certificate of Sh. Surjit Singh Pattar nor appointment letter of Sh. Swaranjit Singh Savi placed on record by the plaintiff. Other assertions made in the application have been denied with prayer to dismiss the application.

I have heard Ld. Counsel for both parties and gone through the record carefully.

The present application has been filed by the plaintiff to examine Sh. Swaranjit Singh Savi in place of Sh. Surjit Singh Pattar. It is a fact of common notice that Sh. Surjit Singh Pattar being renowned writer, died on 11.05.2024 and that Sh. Swaranjit Singh Savi is appointed on his place for which documents as alleged are not required per se. The application to summon Sh. Surjit Singh Pattar has already been allowed by Ld. Predecessor of this Court. As such, this Court find no prejudice affecting defendants to substitute him on account of his death by the next person on the chair. Moreover, the defendant shall have opportunity to cross-examine him as plaintiffs witness. Accordingly, the present application is allowed, in the interest of justice. The plaintiff is permitted to examine Sh. Swaranjit Singh Savi to examine as witness in the present case.

Now to come up on 11.08.2025 for plaintiff's evidence and for filing amended list of witnesses. Pws be summonsd accordingly.

Date of order: 25.07.2025.

Pavleen Singh, PCS,  
Additional, Civil Judge, Sr. Division,  
Ludhiana. UID No. PB0362.