



**Seema Sahai vs. Daljit Singh & Ors.**

**LPA No. 163 of 2015**

07.11.2024 Present: Appellant Seema Sahai in person.

Mr. K.D. Sood, Senior Advocate with Mr. Vivek Thakur, Advocate, for respondent No.1.

Mr. Sanjeev Kuthiala, Senior Advocate with Ms. Amita Chandel, Advocate, for respondent No.2.

After hearing the matter for sometime, it transpires that in present appeal order passed by learned Single Judge in an application-OMP No.4314 of 2013 has been assailed, and though, the said application was preferred stating to have been filed under Sections 191, 192 and 193 of Indian Penal Code read with Section 151 CPC, however, for the prayer made therein to initiate criminal action/enquiry against the respondents for alleged fabrication of the documents during the pendency of Civil Suit No. 38 of 2004, the same was considered by the learned Single Judge, an application preferred under Section 340 of Cr.P.C.

On going through provisions of Cr.P.C., prima facie it appears that an order passed under Section 340 of Cr.P.C. passed by learned Single Judge is not assailable before Division Bench either in appeal invoking Clause 15 of Letters Patent or in appeal under Section 341 of Cr.P.C.

Before passing any order in this regard, as prayed by appellant, the matter is adjourned to enable her to engage a lawyer either at her own or through H.P.



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High Court Legal Services Committee so as to have proper legal advice and also to provide proper assistance to the Court.

Needful be done well before next date.

Appellant submits that she is contesting various cases singly in various Courts and on account of pre-engagements, personal and family obligations and problems it would not be possible for her to do needful before winter vacation ensuing during January and February, 2025 and therefore she has prayed for listing the case in March, 2025.

No objection has been communicated on behalf of the respondents for listing the case, as prayed, by the appellant.

As prayed, list on **10.03.2025**.

**(Vivek Singh Thakur)**  
Judge

**(Rakesh Kainthla)**  
Judge

07<sup>th</sup> November, 2024  
(Nikita)