

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

Date of decision:20.02.2015.

Rajiv Bhatia

.....Petitioner

v.

Kuldip Kaur and others

.....Respondent

CORAM: HON'BLE MR.JUSTICE JASWANT SINGH

Present:- Mr.Nitin Kaushal,Advocate for the petitioner

Jaswant Singh,J.(Oral)

Petitioner/plaintiff is in revision aggrieved by the order dated 20.1.2015 (P-20) passed by Civil Judge (Junior Division) Jalandhar whereby in a suit for specific performance of the agreement to sell dated 16.12.2004, his evidence has been closed by order.

It is submitted that on 20.1.2015 when the impugned order came to be passed, petitioner was busy with the cremation of his father-in-law whereas counsel for the petitioner did not appear for the reasons best known to him and as such cause of the petitioner should not be permitted to suffer. It is further submitted that the only evidence petitioner wants to lead is to complete his cross examination and to produce some documents by an official witness from the office of SSP. In these circumstances, one opportunity subject to imposition of costs as this court may deem fit, is requested.

After hearing the learned counsel and perusing the paper

RASHINDER KASHIAD JOSHI
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High Court, Chandigarh.

book, I deem it expedient in the interest of justice to grant petitioner one opportunity at his own risk and responsibility to complete his evidence.

Accordingly, present revision petition is allowed, impugned order dated 20.1.2015 (P-20) is set aside and the petitioner is granted one opportunity to conclude his evidence, at his own risk and responsibility subject to payment of Rs.3000/- as costs to be deposited with District Legal Service Authority, Jalandhar. Payment of costs shall be a condition precedent for availing the opportunity so granted.

This order is being passed without issuing notice to respondents to avoid further delay in the matter and to save them from litigation expenses.

20.02.2015
joshi

(Jaswant Singh)
Judge