

In the High Court of Punjab and Haryana at Chandigarh

**Civil Revision No. 1497 of 2015
Date of Decision: 02.3.2015.**

Sultan Singh

.....Petitioner

Versus

Mahinder Singh Jaglan and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. R.K.Bansal, Advocate
for the petitioner.

SABINA, J.

Petitioner has filed this petition under Article 226 of Constitution of India challenging the order dated 17.1.2015 (Annexure P-2) whereby evidence of the defendants was closed.

Learned counsel for the petitioner has submitted that petitioner is defendant No. 3 in the suit filed by the plaintiffs for declaration with consequential relief of possession. Petitioner only wants to examine himself as a witness. Petitioner has changed his counsel as his earlier counsel has failed to examine the petitioner as a witness. Learned counsel for the petitioner has submitted that only one opportunity be granted to the petitioner to enable him to examine himself as a witness. Learned counsel has further submitted that the case is listed before the Trial Court for tomorrow and petitioner will appear/examine himself as a witness tomorrow itself.

Keeping in view the submissions made by the learned

counsel for the petitioner, this petition is allowed. Impugned order dated 17.1.2015 (Annexure P-2) is modified to the extent that the Trial Court is directed to allow the petitioner to appear as a witness on the date fixed i.e. 3.3.2015 subject to payment of ₹ 5,000/- as costs. Costs be deposited with the State Legal Services Authority. Thereafter, the Trial Court shall proceed further with trial, in accordance with law.

Copy of the order be given to the counsel for the petitioner under the signatures of the Bench Secretary of this Court.

**(SABINA)
JUDGE**

March 02, 2015
Gurpreet