

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH.

CR 1675 of 2015

Date of Decision: July 13, 2015

Jan Mohammad

.....Petitioner

Vs.

Sachin Jain and anr.

.....Respondents

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI.

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Present:- Mr.S.K. Bawa, Advocate
for the petitioner.

None for respondent No.1.

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M.M.S. BEDI, J. (ORAL)

This is a revision petition against the order dated January 8, 2015 declining an opportunity to the defendants to conclude their evidence.

Counsel for the petitioner has submitted that one Kapil Nagpal DW2 has already been examined-in-chief and that the case had earlier been deferred for his cross-examination on account of non-availability of counsel for the plaintiff.

Counsel for the petitioner submits that the defendants want to examine two more witnesses at their own responsibility and they had moved an application for summoning the said witnesses.

I have heard learned counsel for the petitioner. Despite notice having been issued to the plaintiff- respondents, no body has put in appearance implying thereby that the plaintiff do not want to contest this petition.

This petition is allowed. It is ordered that the trial Court shall fix a date of hearing for examination of Kapil Nagpal and other two witnesses of the defendant- petitioner subject to payment of cost of Rs.2000/-. The petitioner will pay cost on next date of hearing before the trial Court. Petitioner will appear before the trial Court on August 1, 2015 or the date already fixed whichever is later. The trial Court shall fix a date for examination/ cross-examination of the defendant witnesses. It is made clear that in case on the date fixed, the witnesses are not produced by the defendants, this petition will be deemed to have been dismissed. In case the cost is not paid in that eventuality also, the present petition will be deemed to have been dismissed.

July 13, 2015
sanjay

(M.M.S.BEDI)
JUDGE