

IN THE HIGH COURT OF PUNJAB AND HARYANA, AT
CHANDIGARH

CR No. 1807 of 2015

Date of Decision: 13.03.2015

Vikas

.....Petitioner

Vs.

Uttri Haryana Bijali Vitran Nigam, Panchkula and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. Karan Singh Malik, Advocate,
for the petitioner.

SABINA, J.

Petitioner has filed this petition challenging the order 10.02.2015 (Annexure P-7), whereby evidence of the petitioner was closed.

Learned counsel for the petitioner has submitted that the petitioner is serving as a Constable in Railway Protection Force (RPF) and the petitioner was undergoing training at Police Recruit Training Centre, Jahan Khelan, Hoshiapur (Punjab), therefore, he could not conclude his evidence. Learned counsel has further submitted that the petitioner be granted one opportunity to enable him to conclude his evidence.

Keeping in view the submissions, made by learned counsel for the petitioner, it would be just an expedient to grant one opportunity to the petitioner to enable him to conclude his evidence. Petitioner has filed a suit for compensation/damages on account of death of two buffaloes, due to electrocution by the electric wires of the respondents-defendants. In case, petitioner is not allowed to lead his entire evidence, he will suffer an

irreparable loss. Moreover, the other party will get an opportunity to cross-examine the witnesses sought to be examined by the petitioner. In case, petitioner is allowed to lead his entire evidence, the trial Court would be in a position to dispose of the matter between the parties, in just and fair manner.

Accordingly, this petition is allowed. Impugned order dated 10.02.2015 (Annexure P-7) is set aside. Trial Court is directed to grant one effective opportunity to the petitioner, to enable him, to lead his evidence at his own risk and responsibility, subject to payment of ₹5,000/- as costs. Costs be deposited with District Legal Services Authority, Panipat. Thereafter, trial Court shall proceed further with the case, in accordance with law.

(SABINA)
JUDGE

March 13, 2015
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