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

**CR No.2069 of 2015**

**Date of decision: March 24, 2015**

Ram Singh

.....Petitioner

Versus

Hawa Singh and another

.....Respondents

**CORAM: HON'BLE MRS. JUSTICE SABINA**

**Present:** Mr. Rose Gupta, Advocate  
for the petitioner.

**SABINA, J**

Petitioner has filed this petition challenging the order dated 11.03.2015, whereby application moved by the petitioner to permit him to appear as a witness, was dismissed.

Learned counsel for the petitioner has submitted that despite due diligence, petitioner could not appear as a witness before the trial Court, while leading his evidence in the affirmative.

Petitioner has filed suit for possession. A perusal of the impugned order reveals that the petitioner had been granted twelve effective opportunities to enable him to conclude his evidence, but he had failed to do so. Evidence of the petitioner was closed by order dated 06.01.2015. Thereafter, petitioner moved an application for permission to appear as a witness, when the case was listed for his rebuttal

evidence. The trial Court had rightly dismissed the application moved by the petitioner as the petitioner, despite twelve opportunities had failed to conclude his evidence. Petitioner should have been vigilant and should have appeared in the witness box while leading his evidence in the affirmative.

In the facts and circumstances of the present case, no ground for interference by this Court, is made out.

Dismissed.

**(SABINA)  
JUDGE**

**March 24, 2015**

*m.singh*