

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CR No.3024 of 2015
Date of decision: 29.09.2015

Sukhchain Singh

... Petitioner

Versus

Baldev Singh

... Respondent

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. Harchand Singh Batth, Advocate
for the petitioner.

Mr. Parminder Singh, Advocate for the respondent.

1. Whether reporters of local papers may be allowed to see the judgment?
2. To be referred to the reporters or not?
3. Whether the judgment should be reported in the digest?

ARUN PALLI J. (Oral)

Vide order being assailed, dated 23.04.2015, rendered by Civil Judge (Jr. Divn.), Bathinda, evidence of the defendant had since been closed by order.

Ex facie, petitioner-defendant has been negligent and remiss in pursuing his cause, but the fact remains that if he is not afforded one effective opportunity to conclude his evidence, he shall suffer an irreparable loss that may result in miscarriage of justice.

During the course of hearing, learned counsel for the parties have reached a consensus that let the petitioner be

granted one effective opportunity to examine Sh. Karnail Singh Bhullar, the then Naib Tehsildar, Bathinda (Receiver) on the date that shall be fixed by the trial court in this regard.

Accordingly, the order dated 23.04.2015 is set aside and the petition is disposed of in the following terms:

i) Petitioner-defendant shall be afforded one effective opportunity to examine Sh. Karnail Singh, the then Naib Tehsildar, Bathinda (Receiver), on the date that shall be fixed by the trial court in this regard;

ii) In case the petitioner-defendant fails to examine the said witness and conclude his evidence on the date fixed, no further opportunity shall be granted;

iii) This, however, shall be subject to payment of ₹ 20,000/- as costs and that shall be condition precedent.

September 29, 2015
Rajan

(Arun Palli)
Judge