

In the High Court of Punjab and Haryana at Chandigarh

**Civil Revision No. 3384 of 2015
Date of Decision: 18.5.2015.**

Paljinder Singh

.....Petitioner

Versus

Gian Singh and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. Dhirinder Chopra, Advocate
for the petitioner.

SABINA, J.

Petitioner has filed this petition under Article 227 of the Constitution of India challenging the order dated 20.4.2015 (Annexure P-3) whereby evidence of the petitioner was closed.

Learned counsel for the petitioner has submitted that, although, petitioner had been granted sufficient opportunity to enable him to conclude his evidence but due to inadvertence, petitioner could not conclude his evidence. Learned counsel has further submitted that only one opportunity be granted to the petitioner to enable him to conclude his evidence. The defendants have not led any evidence so far.

Petitioner and respondent No. 4 have filed suit for recovery. Keeping in view the submissions made by the learned counsel for the petitioner, it would be just and expedient to grant one opportunity to the plaintiffs to enable them to conclude their evidence so that the *lis* between the parties can be disposed of on merits.

Accordingly, this petition is allowed. Impugned order dated 20.4.2015 (Annexure P-3) is set aside. Trial Court is directed to grant one effective opportunity to the plaintiffs to enable them to lead their evidence at their own risk and responsibility subject to payment of ₹ 10,000/- as costs. Costs be deposited with the District Legal Services Authority. Thereafter, the Trial Court shall proceed further with the case, in accordance with law.

**(SABINA)
JUDGE**

May 18, 2015
Gurpreet