

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CR No. 3283 of 2013
Date of Decision : 19.01.2015

Ranjit Singh

....Petitioner

Versus

Amandeep Singh and another

...Respondents

CORAM: HON'BLE MR. JUSTICE R.P. NAGRATH

Present: Mr. Rajesh Bhateja, Advocate
for the petitioner.

Mr. N.K. Manchanda, Advocate
for the respondents.

R.P. Nagrath, J. (Oral)

Challenge in the instant petition is to the order dated 23.04.2013 (Annexure P-2) passed by the trial Court whereby evidence of the petitioner-defendant was closed by order observing that already so many opportunities have already been granted to lead evidence.

Learned counsel for the petitioner submits that the petitioner proposes to examine only the official of office of Sub-Registrar, and that given only one opportunity, the petitioner would examine said witness and in case, he fails to examine the said witness on the date, the evidence of the petitioner-defendant may be deemed to be closed.

After hearing learned counsel for the parties and in view of the aforesaid submission, the instant petition is allowed by setting aside the order dated 23.04.2013 passed by the trial Court and the trial Court would afford only one opportunity to the petitioner to

examine official from the office of Sub Registrar at own responsibility and subject to payment of ₹ 6000/- as costs to be paid to respondent no. 1 by way of demand draft, on the date already fixed before the trial Court. The petitioner may, however, seek assistance of the Court by taking *dasti* notice but non-appearance of the witness on any ground shall not be a reason for seeking further adjournment. Failing to comply with any of the aforesaid conditions, the instant petition would be deemed to have been dismissed.

January 19, 2015
jk

(R.P. NAGRATH)
JUDGE