

IN THE HIGH COURT OF PUNJAB AND HARYANA, AT
CHANDIGARH

CR No. 344 of 2015

Date of Decision: 29.05.2015

Jasbir Kaur and another

.....Petitioners

Vs.

Surjit Singh and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. Deepak Arora, Advocate,
for the petitioners.

Mr. N.L. Sammi, Advocate,
for respondent Nos. 1, 3 and 4.

SABINA, J.

Petitioners have filed this petition challenging the order dated 18.12.2014, whereby evidence of the plaintiffs, was closed.

Learned counsel for the petitioners has submitted that although, several opportunities were granted to the petitioners by the trial Court to enable them to lead their evidence but due to inadvertence, petitioners had been unable to conclude their evidence. Learned counsel for the petitioners has further submitted that the petitioners be granted one effective opportunity to enable them to conclude their evidence.

Learned counsel for the respondents has not opposed the petition as vide order dated 15.01.2015, petitioners were directed to deposit ₹1,00,000/- by way of costs with the trial Court and the same

was ordered to be disbursed to the contesting defendants equally in case this petition was allowed. Admittedly, petitioners have deposited ₹1,00,000/- with the trial Court, in terms of the order dated 15.01.2015, passed by this Court.

Accordingly, this petition is allowed. Impugned order dated 18.12.2014 is set aside. Trial Court is directed to grant one effective opportunity to the petitioners to enable them to conclude their evidence on their own risk and reasonability. Thereafter, the trial Court shall proceed further with the case, in accordance with law. The amount of ₹1,00,000/- deposited by the petitioners before the trial Court is ordered to be disbursed equally to the contesting defendants.

**(SABINA)
JUDGE**

May 29, 2015
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