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

CR No.4110 of 2015

Date of decision: July 03, 2015

Rajeev @ Rajiv

.....Petitioner

Versus

Dilbahar Singh and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. Ajay Ghangas, Advocate
for the petitioner.

SABINA, J

Petitioner has filed this petition challenging the order dated 26.05.2015.

Learned counsel for the petitioner has submitted that the petitioner could not conclude his evidence on 26.05.2015 as the lawyers were on strike. In fact, the lawyers were on strike on 25.05.2015 also. On 26.05.2015, cross-examination of the petitioner was conducted by the defendant himself. The petitioner had been unable to conclude his evidence on 26.05.2015 as the lawyers were on strike on the said day. Learned counsel has further submitted that only one opportunity be granted to the petitioner to enable him to conclude his evidence at his own risk and responsibility.

In the present case, petitioner has filed suit for specific performance of agreement to sell dated 15.11.2008.

Petitioner has himself appeared in the witness box and now,

petitioner wants one opportunity to enable him to examine other witnesses. In case, petitioner is not permitted to lead his evidence, he may not be able to effectively put up his case. Moreover, in case, petitioner is permitted to lead his evidence, the trial Court would be able to decide the case on merits in a just and fair manner.

Accordingly, the trial Court is directed to grant one effective opportunity to the petitioner to enable him to conclude his evidence at his 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.

Petition stands disposed of, accordingly.

**(SABINA)
JUDGE**

July 03, 2015

m.singh