

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CR No.510 of 2015 (O&M)
Date of Decision: 19.02.2015

Dharmender Singh

...Petitioner

Versus

Bishambar

...Respondent

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

1. *Whether Reporters of the 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?*

Present: Mr. Manoj Kaushik, Advocate
for the petitioner.

Mr. C.B. Goel, Advocate
for the respondent.

R.P. Nagrath, J. (Oral)

Petitioner has invoked the jurisdiction of this Court under Article 227 of the Constitution of India seeking to set aside the order dated 19.12.2014 (Annexure P-1) passed by the learned trial Court whereby evidence of the plaintiff was closed by order.

The suit was filed in the year 2009 and the issues were framed by the trial Court in July, 2011 and the case was being adjourned for four years for evidence. When the matter was listed on 22.01.2015, following order was passed:-

“Learned counsel for the petitioner inter alia contends that petitioner undertakes to produce entire evidence, at responsibility given only one opportunity. It is further submitted that earlier there was talk of compromise between the parties as recorded in the earlier interim orders passed by the trial Court.

Notice of motion for 19.2.2015.

In the meanwhile, trial Court would continue with rest of the proceedings but shall not pass the final judgment, subject to the petitioners depositing an amount of ₹ 50,000/- with the trial Court within one week from today to be paid to defendant-respondent in case, the instant petition is allowed.

*Process **dasti** as well.*

Failing to deposit the said amount within one week or in case, service is not effected upon the respondent, the interim directions shall automatically stand vacated.”

I have heard learned counsel for the parties, perused the impugned order and also the paper book.

Petitioner has not complied with the aforesaid order. Learned counsel for the petitioner submits that he has brought two bank drafts of ₹ 25,000/- each, one draft is dated 31.01.2015 and the second dated 09.02.2015, but petitioner has not complied with condition of depositing ₹ 50,000/- within one week as directed in the order dated 22.01.2015.

There is no ground for granting any concession to the petitioner.

Dismissed.

**(R.P. Nagrath)
Judge**

19.02.2015
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