

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

C.R. No. 4947 of 2014

Date of Decision: 28.04.2015.

Gram Panchayat Dhilwal Nabha

... Petitioner

v/s

Sarup Singh and others

... Respondents

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. Inderjit Sharma, Advocate
for the petitioner.

Ms. Sonia G. Singh, Advocate
for respondent No. 2.

Sabina, J.

Petitioner has filed this petition under Article 227 of Constitution of India challenging the order dated 18.04.2014 whereby evidence of the petitioner was closed.

Learned counsel for the petitioner has submitted that the petitioner be granted only one opportunity to enable it to conclude its evidence.

Learned counsel for the respondent, on the other hand, has opposed the petition.

In the present case, respondents have filed suit for declaration. Vide impugned order, evidence of the petitioner was closed. In case, petitioner Gram Panchayat is granted one opportunity to enable to conclude its evidence, lis between the parties will be disposed of on merits. Moreover, the other side can be compensated with costs. Accordingly, this petition is allowed. Impugned order dated 18.04.2014 is set aside. Trial

Court is directed to grant one effective opportunity to the petitioner to enable to conclude its evidence at his own risk and responsibility subject to payment of ₹5000/- as costs. Costs be disbursed to the defendants. Thereafter, the Trial Court shall proceed further with the case, in accordance with law.

**(SABINA)
JUDGE**

28.04.2015
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