

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR No. 5948 of 2015 (O/M)
Date of decision : 11.9.2015

M/s KMT Fasteners

..... Revisionist

Versus

M/s Raj Fasteners

..... Respondent

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Ankur Ghai, Advocate, for the revisionist.

1. Whether the Reporters of local newspaper may be allowed to see the judgment ?
2. To be referred to the Reporter or not.
3. Whether the judgment should be reported in the digest ?

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KULDIP SINGH, J. (ORAL)

Impugned in the present revision is the order dated 13.7.2015 (Annexure-P-1), passed by the learned Civil Judge (Junior Division), Ludhiana, vide which the evidence of the plaintiff was closed by orders. Also impugned in the present revision is the order dated 6.8.2015 (Annexure-P-2), vide which an application for review of the said order, was dismissed.

I have heard the learned counsel for the revisionist and have also carefully gone through the impugned orders.

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A perusal of the impugned order shows that large number of opportunities were granted to the plaintiff. It is an ex-parte case. Ultimately, last and final opportunity was granted and even thereafter one special opportunity was granted. On the last three dates, the costs of Rs. 200/-, Rs. 300/- and ultimately Rs. 400/- were imposed, but it failed to convince the plaintiff to lead the ex-parte evidence.

The plea of the learned counsel for the revisionist is that the counsel for the plaintiff before the lower Court is ill. Therefore, the evidence could not be led. However, there is no justification for not leading the evidence, despite last/special opportunity and imposition of costs on last several dates. The suit is for recovery of meager amount. In these circumstances, there has to be some end to the litigation. It being so, no fault can be found with the impugned order, closing the evidence of the plaintiff by orders.

The present revision is accordingly dismissed.

(KULDIP SINGH)
JUDGE

11.9.2015
sjks