

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR No. 6090 of 2015 (O/M)
Date of decision : 17.9.2015

Jeeto and another

..... Revisionists

Versus

Gurcharan Singh and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Rajan Bansal, Advocate, for the revisionists.

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 21.5.2015 (Annexure-P-1), passed by the learned Civil Judge (Junior Division), Talwandi Sabo, vide which the evidence of the plaintiffs/revisionists was closed by orders.

Learned counsel for the plaintiffs/revisionists has produced the copy of the interim orders showing that six opportunities were granted to the plaintiffs/revisionists to conclude their evidence. The lower Court closed the evidence after the learned counsel for the plaintiffs/revisionists failed to close the

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evidence, despite undertaking given to Court and grant of last opportunity on five occasions.

The plea of the learned counsel for the plaintiffs/revisionists is that earlier they had summoned the copy of the sale deed, on which report was received on 4.5.2015 that same is deposited with HRC Branch of Deputy Commissioner, Bathinda. It is stated that on 18.5.2015, the handwriting expert and the copy of the sale deed were summoned, but they could not be served and consequently, the evidence was closed by orders.

The perusal of the interim orders shows that the plaintiffs/revisionists were repeatedly granted opportunities to conclude their evidence. There is apparent negligence on the part of the plaintiffs/revisionists to conclude their evidence. Infact, the list of witnesses was required to be filed immediately after framing of the issues, which was apparently not done.

Learned counsel for the plaintiffs/revisionists seeks only one more opportunity to conclude the evidence as the evidence of the handwriting expert and the production of original of the second sale deed is necessary.

Though, I am of the view that the impugned order is justified in the given circumstances of the case, however, in the interest of justice and to ensure that actually justice is done to the parties, the plaintiffs/revisionists are granted one more opportunity to

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conclude their evidence at their own risk and responsibility, subject to payment of costs of Rs. 25,000/- towards the District Legal Aid Fund, Bathinda. The plaintiffs/revisionists can take the summons dasti. However, the Court will not compel the appearance of any witness.

The present revision is accordingly allowed in the aforesaid term.

(KULDIP SINGH)
JUDGE

17.9.2015
sjks