

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

CR No. 6310 of 2015

Date of decision: 24.09.2015

Residents Welfare Association, Palam Vihar Extension

....Petitioner

Versus

Mukesh Sharma and another

....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI.

Present: Mr. Ankush Chaudhary, Advocate
for Mr. Kunal Dawar, Advocate
for the petitioner.

RITU BAHRI J. (Oral)

The present civil revision petition has been filed by the petitioner for setting-aside the order dated 01.09.2015, passed by Civil Judge (Jr. Division), Gurgaon, whereby the evidence of the petitioner/plaintiff has been closed.

The present suit was filed by the plaintiff in the year 2014 and a perusal of the order shows that since 06.04.2015, the case was fixed for plaintiff's evidence. The plaintiff had availed certain effective opportunities to conclude his evidence and thereafter, the plaintiff's evidence was closed by Court order.

Learned counsel for the petitioner/plaintiff has argued

that at the time of pursuing the evidence of plaintiff, only one witness was required to be examined.

Keeping in view the fact that from 06.04.2015 till 01.09.2015, even if the plaintiff had taken some adjournments, then it will not delayed the decision of the trial Court as only six months had been taken by the plaintiff to conclude his evidence.

Accordingly, the present revision petition is allowed and the order dated 01.09.2015 is hereby set-aside and one opportunity is granted to the plaintiff to conclude his evidence by recording the statement of only one witness, subject to payment of cost of Rs.5,000/- to be deposited before District Legal Services Authority, Gurgaon.

(RITU BAHRI)
JUDGE

24.09.2015
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