

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH.

CR 65 of 2015

Date of Decision: April 9, 2015

M/s Pal Infrastructure & Developers Pvt. Ltd.

.....Petitioner

Vs.

Sh. Harsimran Singh Mehta

.....Respondent

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI.

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Present:- Proxy counsel for the petitioner.

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M.M.S. BEDI, J. (ORAL)

Despite service no one has put in appearance on behalf of respondent. Respondent is proceeded against ex-parte.

This a revision petition against the order dated December 10, 2014 closing the evidence of the defendant-petitioner in a suit for recovery filed by the plaintiff- respondent.

A perusal of the order passed from September 1, 2014 till December 10, 2014 indicate that the petitioner has adopted a casual approach in producing the evidence despite cost of Rs.3000/- having been

imposed pursuant to the orders passed by the trial Court as a result of which its evidence was closed by order.

Counsel for the petitioner has submitted that in case one opportunity is granted to the petitioner, it will conclude its entire evidence at its own responsibility.

This petition is allowed. Order dated December 10, 2014 is hereby set aside. Petitioner is permitted to produce its entire evidence by giving its two effective opportunities at its own responsibility within a period of one month after the receipt of the certified copy of the order, by the trial Court, subject to payment of cost of Rs.10000/-. The petitioner will appear before the trial Court on the date already fixed and offer the cost of Rs.10000/- to the plaintiff-respondent. The trial Court shall fix two dates within a period of one month to enable the defendant- petitioner to conclude its entire evidence. It is made clear that in case the cost is not offered, this petition will be deemed to have been dismissed.

April 9, 2015
sanjay

(M.M.S.BEDI)
JUDGE