

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

CR No.6594 of 2015 (O&M)

Date of decision: 06.10.2015

Mohd. Yakub

...Petitioner

versus

Jamshed

...Respondent

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Saleem Ahmed, Advocate,
for the petitioner.

RITU BAHRI, J.

Challenge in this petition is to the order dated 16.09.2015 (Annexure P-1) passed by the Civil Judge (Junior Division), Ferozepur Jhirka whereby evidence of the plaintiff-petitioner has been closed by order.

While closing the evidence, it was observed by the trial Court that the plaintiff-petitioner did not make payment of the previous cost, which was imposed on 29.08.2013. A perusal of the zimni orders shows that on 06.08.2015, costs of Rs.500/- was imposed upon the plaintiff. Thereafter, on 29.08.2015, four witnesses of the plaintiff-petitioner were present and examined.

Learned counsel for the petitioner states that only one witness i.e. Crl. Ahlmad in the Court of Judicial Magistrate Ist Class, Ferozepur Jhirka, is to be examined. Besides this, the petitioner wants to tender some documents.

In view of the fact that only one witness is to be examine by the plaintiff-petitioner and he has already deposited the costs as well, this Court

deems it appropriate to provide one last opportunity to the plaintiff-petitioner to complete his evidence.

In view of the above, the impugned order dated 16.09.2015 is set aside and one effective opportunity is granted to plaintiff-petitioner to conclude his evidence by examining the aforesaid witness, subject to costs of Rs.2000/- to be deposited with the District Legal Services Authority, Mewat.

Allowed accordingly.

(RITU BAHRI)
JUDGE

06.10.2015
ajp