

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

Date of decision: 29.01.2015

Jagir Singh

.....Petitioner

v.

General Public and others

.....Respondent

CORAM: HON'BLE MR.JUSTICE JASWANT SINGH

Present:- Mr.Harish Sharma, Advocate for the petitioner

Jaswant Singh,J.(Oral)

Petitioner- has filed the present revision petition aggrieved by the order dated 15.11.2014 (P-1) passed by Civil Judge (Senior Division) Panchkula whereby his evidence, in a petition under Section 276 of the Indian Succession Act, has been closed by order.

It is averred that testimony of the petitioner has been recorded on 15.11.2014 and some official witnesses remain to be examined for which petitioner has already deposited the diet money. It is further averred that in case petitioner is not granted opportunity to lead his remaining evidence, he will suffer irreparable loss and injury. Accordingly, prayer is for grant of one effective opportunity to conclude the petitioner's evidence subject to payment of appropriate costs.

After hearing the learned counsel and keeping in view the peculiar facts and circumstance of the case, I deem it expedient in the

interest of justice to grant petitioner one effective opportunity to lead his entire evidence on a date to be fixed by the trial Court.

Accordingly, present revision petition is allowed, impugned order dated 15.11.2014(P-1) is set aside and petitioner is granted one effective opportunity to lead his entire evidence on a date to be fixed by the trial Court, subject to payment of Rs.5000/- as costs to be deposited with District Legal Service Authority, Panchkula.

Disposed of.

29.01.2015
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(Jaswant Singh)
Judge