

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

C.R. No. 6653 of 2015

Date of decision:- 08.10.2015

Raja Ram

...Petitioner

Versus

D.H.B.V.N.L & others

...Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present:- Mr. B.K. Bagri, Advocate
for the petitioner.

RITU BAHRI J.(Oral)

Plaintiff/Petitioner (for short 'petitioner') has filed the instant revision petition under Article 227 of the Constitution of India assailing order dated 30.07.2015 (Annexure P-1) passed by learned ACJ (Sr. Divn.), Rewari whereby the evidence of the petitioner was closed by Court order.

The petitioner filed a suit against the respondents on 04.06.2011 and issues were framed on 06.09.2013 and thereafter, the case was fixed for petitioner's evidence on 20.11.2013. However, petitioner has made every effort to tender the evidence but the attitude of the police officers is apparent from the order dated 02.09.2014, 05.11.2014, 15.12.2014, 10.02.2015, 17.03.2015 and on 05.05.2015, he appeared and examined which shows that the petitioner was helpless to secure his presence inspite of theailable warrants issued on five times to MHC Khosla. The evidence of the petitioner was closed on 30.07.2015 with the observation that despite availing number of opportunities, the petitioner has failed to conclude his

evidence. At present evidence of the defence is going on and the trial is fixed for 13.10.2015.

In view of the above, 30.07.2015 (Annexure P-1) passed by learned ACJ (Sr. Divn.), Rewari is hereby set aside and the instant revision petition is ***allowed*** and the trial Court is directed to give one effective opportunity to the petitioner to tender his evidence on 13.10.2015, subject to payment of Rs.3000/- as cost to be deposited before the District State Legal Services Authority, Rewari.

October 08, 2015
G Arora

(***RITU BAHRI***)
JUDGE