

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

CR No.6718 of 2015

Date of decision: 09.10.2015

Jaswant Singh and others

...Petitioners

versus

Dharma Singh and others

...Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Ms. Mansi Bansal, Advocate,
for the petitioners.

RITU BAHRI, J.

Challenge in this petition is to the order dated 25.05.2015 passed by the Civil Judge (Junior Division), Bathinda, whereby evidence of the defendants-petitioners has been closed by order.

Dharma Singh-plaintiff (respondent No.1) filed a suit (Annexure P-1) for permanent injunction restraining the defendants from interfering or taking forcible possession of any portion of the property bearing MC No.16262, as per site plan attached with the plaint. As per plaintiff-respondent No.1, he is a tenant in the said premises and has paid rent up to 31.03.2012. Issues were framed on 07.05.2013. A perusal of the zimni orders (Annexure P-4) shows that evidence of the plaintiff was concluded on 21.01.2015. Thereafter, the defendants-petitioners availed a number of opportunities, but could not conclude their evidence.

Learned counsel for the petitioners states that the petitioners have to examine only two witnesses.

Keeping in view that the suit is at the stage of recording rebuttal

evidence, this Court deems it appropriate to provide one last opportunity to the defendants-petitioners to conclude their evidence.

In view of the above, the impugned order dated 25.05.2015 is set aside and one effective opportunity is granted to the defendants-petitioners to examine remaining two witnesses and conclude their evidence, subject to costs of Rs.5000/- to be deposited with the District Legal Services Authority, Bathinda.

Allowed accordingly.

(RITU BAHRI)
JUDGE

09.10.2015
ajp