

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

**CR No.6798 of 2014
Date of Decision:30.01.2015**

Municipal Council and another

. . . . Petitioners

Vs.

Naveen Kumar

. . . .Respondent

CORAM: HON'BLE MR.JUSTICE RAKESH KUMAR JAIN

Present: Mr.Sameer Sachdeva, Advocate,
for the petitioners.

RAKESH KUMAR JAIN, J. (ORAL)

This revision petition is directed against the order dated 1.9.2014 by which evidence of the defendants/petitioners has been closed.

Notice of motion was issued on 6.10.2014 in the following manner: -

“Learned counsel for the petitioners relies upon number of interim orders passed by the learned trial Court by saying that the learned trial Court has adjourned the case for short intervals. Thereafter, with the demise of the counsel for the Municipal Committee, the evidence of the defendants could not be adduced in time. Learned counsel for the petitioners further submitted that the plaintiff-respondent can best be compensated with heavy costs in the event of grant of

VIVEK PAHWA
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authenticity of this document

opportunity to the defendants to adduce their evidence.

Notice of motion for 13.10.2014.

Dasti only.”

Thereafter, the respondents were served through dasti summons as per the report of the Registry but no one has put in appearance despite service.

Learned counsel for the petitioners has prayed that only one opportunity may be afforded to the petitioners to lead their entire evidence subject to payment of costs.

After hearing learned counsel for the petitioners and examining the record, the present revision petition is hereby allowed and the impugned order is set aside. The petitioners are afforded one last opportunity to lead their entire evidence subject to payment of ₹10,000/- as costs.

30.01.2015

Vivek

**(RAKESH KUMAR JAIN)
JUDGE**