

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

Date of decision:09.02.2015.

Satwinder Singh

.....Petitioner

v.

Surjit Singh and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE JASWANT SINGH

Present:- Mr.Jagjot Singh,Advocate for the petitioner

Jaswant Singh,J.(Oral)

Petitioner/plaintiff No.1(claimant) is in revision assailing the order dated 15.12.2014 (P-1) passed by Civil Judge (Junior Division) Kharar, whereby in a suit for recovery of Rs.6 lacs as damages for causing death of Shamsher Singh, father of petitioner, their evidence has been closed by order.

It is submitted that Dr.H.S.Oberoi, Medical Officer, Civil Hospital,Ropar who conducted the post mortem on the dead body of Shamsher Singh is required to be examined for which the plaintiffs have already deposited the diet money, however, summons were not issued by the Ahlmad. It is further submitted that non-examination of said witness will severely prejudice the case of the plaintiffs for no fault on their part. Accordingly, one opportunity, on payment of appropriate costs, has been prayed.

After hearing the learned counsel for the petitioners and

RAJINDER PRASAD JOSHI
2015.02.11 11:39
I attest to the accuracy and
authenticity of this document
High Court, Chandigarh.

perusing the impugned order, in my opinion, it would be expedient in the interest of justice to grant plaintiffs/petitioner one opportunity to complete their evidence.

Accordingly, present revision petition is allowed, impugned order dated 15.12.2014(P-1) is set aside and the petitioner/plaintiffs are granted one opportunity to complete their evidence subject to payment of Rs.3000/- as costs to be deposited with District Legal Service Authority,Ropar.

09.02.2015
joshi

(Jaswant Singh)
Judge