

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CR No.8480 of 2015
Date of decision: 11.12.2015

Pal Singh

... Petitioner

Versus

Yad Ram and others

... Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. Rajesh Bansal, Advocate for
Mr. Karamveer Singh Banyana, Advocate,
for the petitioner.

1. Whether reporters of local papers may be allowed to see the judgment?
2. To be referred to the reporters or not?
3. Whether the judgment should be reported in the digest?

ARUN PALLI J. (Oral)

Vide order being assailed, dated 02.11.2015, rendered by Additional Civil Judge, Ambala, evidence of the petitioner-defendant No.4 had since been closed. Ex facie, the petitioner has been negligent and remiss in pursuing his cause, but it shall be equally true that in case he is not granted one effective opportunity to lead and conclude his evidence, he shall not only suffer an irreparable loss, but that might also result in miscarriage of justice.

Learned counsel for the petitioner submits that the petitioner only wants to examine himself and Sh. Devinder Kumar, Registry Clerk, Amabala Cantt. As regards the

inconvenience and the delay caused, plaintiffs could always be compensated by awarding suitable costs.

That being so, and without issuance of any formal notice to the respondent to avert any further delay and expenses that he shall have to incur to defend these proceedings, the order dated 02.11.2015 is set aside and the revision petition is disposed of in the following terms:

- i) Petitioner-defendant No.1 shall be afforded one effective opportunity to lead and conclude his entire evidence on the date that shall be fixed by the trial court in this regard;
- ii) Petitioner shall be permitted to examine himself and also Sh. Devinder Kumar, Registry Clerk, Ambala Cantt., and no other witness shall be examined;
- iii) In the event, petitioner fails to lead and conclude his evidence on the designated date, his evidence shall be deemed to have been closed;
- iv) This, however, shall be subject to payment of costs of ₹ 10,000/-, that shall be condition precedent.

December 11, 2015
Rajan

(Arun Palli)
Judge