

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

C. R No. 8501 of 2015 (O&M)

Date of decision : 14.12.2015

Karnail Singh

....Petitioner

versus

Nek Singh

...Respondents

CORAM: **HON'BLE MS. JUSTICE RITU BAHRI**

Present: Mr. M.S. Khillan, Advocate
for the petitioner.

RITU BAHRI , J. (Oral)

Challenge in this petition is to order dated 23.11.2015 passed by learned Addl. Civil Judge (Sr. Divn.), Karnal, vide which the evidence of the defendant/petitioner has been closed.

A perusal of the impugned order shows that the issues were framed on 12.11.2014 and the evidence of the plaintiff was closed on 07.09.2015 and the evidence of the defendant has been closed, as he has already availed six opportunities for leading evidence. Further the impugned order has been passed, as the defendant-petitioner has not paid the cost, as directed to him, vide order dated 17.11.2015.

Learned counsel for the petitioner has informed the Court that the petitioner had paid the cost of Rs.1000/- on 23.11.2015 itself.

In view of the above factual position, order dated 23.11.2015 passed by learned Addl. Civil Judge (Sr. Divn.), Karnal 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 conclude his evidence, subject to payment of Rs.5000/- as costs to be paid to the respondent.

A copy of this order be given ***dasti*** under the signatures of Court Secretary/Reader attached to this Court.

14.12.2015

G Arora

(RITU BAHRI)
JUDGE