

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

C. R No. 8588 of 2015 (O&M)

Date of decision : 18.12.2015

Avtar Singh and another

....Petitioners

versus

P.S.P.C.L

...Respondent

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Sharad Mehra, Advocate
for the petitioners.

RITU BAHRI , J. (Oral)

Challenge in this petition is to order dated 15.10.2015 passed by learned Civil Judge (Jr. Divn.), Amritsar, vide which the application for recalling order dated 01.08.2015 has been dismissed.

Vide order dated 01.08.2015, the evidence of the plaintiff/petitioner was closed by observing that the plaintiffs/petitioners have availed 13 effective opportunities to conclude its evidence. Thereafter, an application was filed against this order, which was also dismissed vide impugned order dated 15.10.2015.

At the very outset, learned counsel for the petitioners has referred to (P-7 and P-8) to contend that plaintiff is a 67 years old person and was suffering from enlarged kidney disease and cirrhosis of live due to

which he could not appear in Court, as he was admitted in Escorts Hospital, Amritsar on 31.07.2015 and was discharged on 03.08.2015 and was again admitted on 07.10.2015.

Keeping in view the age of plaintiff No. 1, order dated 15.10.2015 passed by learned Civil Judge (Jr. Divn.), Amritsar is hereby set aside and the instant revision petition is ***allowed*** and the trial Court is directed to give one effective opportunity to petitioner to conclude his evidence by examining plaintiff No. 1.

18.12.2015

G Arora

(RITU BAHRI)
JUDGE