

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

C. R No. 8615 of 2015 (O&M)

Date of decision : 18.12.2015

Raj Kumar and others

....Petitioners

versus

Bhim Singh and others

...Respondent

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Susheel Gautam, Advocate
for the petitioners.

RITU BAHRI , J. (Oral)

Challenge in this petition is to order dated 30.11.2015 passed by learned Civil Judge (Jr. Divn.), Panipat, vide which the evidence of the defendants/petitioners has been closed.

A perusal of the impugned order shows that after the issues were framed, the case was fixed for respondents/plaintiffs evidence, who led their evidence and closed their evidence on 23.07.2015. Thereafter, the petitioners took 05 opportunities for leading their evidence and evidence of one witness has been concluded. On 08.10.2015, the cross examination of one DW was deferred to 04.11.2015, which was concluded on 30.11.2015 and on that date, the evidence of the defendants was ordered to be closed on the ground that the defendants had availed several opportunities to

conclude its evidence.

Keeping in view that the suit is for partition and separate possession, order dated 30.11.2015 passed by learned Civil Judge (Jr. Divn.), Panipat is hereby set aside and the instant revision petition is ***allowed*** and the trial Court is directed to give two effective opportunities to the petitioners to conclude its evidence, subject to payment of Rs.5000/- as costs to be paid to the respondents.

18.12.2015

G Arora

(RITU BAHRI)
JUDGE