

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

Date of decision:05.01.2015

Jarnail Singh Bhatia

.....Petitioner

v.

Balbir Singh and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE JASWANT SINGH

Present:- Mr.Vijay Lath,Advocate for the petitioner

Jaswant Singh,J.(Oral)

Plaintiff-petitioner is in revision aggrieved against the order dated 4.11.2014 passed by learned Civil Judge (Senior Division)(NRI Cases)Jalandhar, whereby his evidence has been closed by Court order.

It is submitted that plaintiff/petitioner has examined 5 witness in all, out of whom cross examination of PW1 and PW2 remains when the impugned order was passed.

It is prayed that keeping in view the nature of *lis* between the parties one opportunity, subject to payment of appropriate costs, be granted in the interest of justice.

After hearing the learned counsel for the petitioner I find that although there is no legal infirmity in the impugned order, however, keeping in view the interest of justice, it is deemed expedient to grant one opportunity to the petitioner to complete the cross examination of Pws 1 and 2 subject to payment of costs.

Accordingly, the revision petition is allowed, impugned order 4.11.2014 is set aside and the plaintiff/petitioner is granted one effective opportunity to complete the cross examination of PW-1 and PW-2 subject to payment of costs of Rs.5000/- to the defendants.

This order has been passed without issuing notice to the defendants to avoid further delay in the matter and to save them from unnecessary litigation expenses. Moreover, they have been adequately compensated by way of payment of costs. However, if the defendants are still aggrieved by this order, they would be at liberty to seek recalling of the same.

05.01.2015
joshi

(Jaswant Singh)
Judge