

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

121

CR-1134 of 2016

DATE OF DECISION: 15.02.2016.

Thomas

....Petitioner.

VERSUS

Dimple

....Respondent.

CORAM : HON'BLE MR. JUSTICE SHEKHER DHAWAN

Present: Mr. Manpreet Singh, Advocate for the petitioner.

Shekher Dhawan, J. (Oral)

Learned counsel for the petitioner submitted that respondent's evidence was closed vide impugned order dated 30.01.2016 as present petitioner could not conclude the evidence.

Learned Counsel for the petitioner submitted that transfer application was filed and he was under the impression that his statement would be recorded only after decision of transfer application. The said transfer application is still pending before the District Judge.

Learned counsel for the petitioner mainly submitted that he be given only one opportunity to conclude his evidence and he will conclude the evidence at his own responsibility.

Having considered the submissions made by learned counsel for the petitioner and the fact that statement of present petitioner, who is respondent before the Court below has not been recorded. The impugned order dated 30.01.2016 passed by the Court below is set aside and trial Court is directed to afford one opportunity to the petitioner to conclude his evidence at his own responsibility.

In view of the above, present petition accepted, subject to
payment of costs of Rs.5,000/-

(SHEKHER DHAWAN)
JUDGE

15.02.2016.

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