

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

CR-2219 of 2016 (O&M)

Date of decision: 29.03.2016

Gram Panchayat village Sang Dehsian

...Petitioner

Versus

Malkiat Singh thr. LRs and others

...Respondents

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. S.K. Virk, Advocate for the petitioner.

Jitendra Chauhan, J. (Oral)

This petition under Section 227 of the Constitution of India has been filed for setting aside the order dated 03.02.2016 (Annexure P-5), passed by the learned Civil Judge (Jr. Divn.), Phillaur, whereby the evidence of the petitioner/defendant No.1 was closed by order.

It is contended that the evidence of the petitioner/defendant No.1 was closed by order, vide order dated 03.02.2016. The petitioner was to examine Sukhdev Singh, Member Panchayat on 03.02.2016, however, on account of breavement in his family, the said witness could not come to

depose. The learned counsel further submits that the examination of petitioner's witness, is necessary for just decision of the case.

Heard.

Considering the above facts and circumstances, the order dated 03.02.2016 is set aside. Accordingly, the present petition is allowed and one effective opportunity is granted to the petitioner to conclude the evidence, on the date fixed by the trial Court, subject to the cost of Rs. 10,000/- to be deposited with District Legal Services Authority.

29.03.2016

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(JITENDRA CHAUHAN)
JUDGE