

IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH

CR No. 3169 of 2016
Date of decision : May 5, 2016

Phool Chand

..... Petitioner

Versus

Madan Lal and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present:- Mr. Sandeep Kumar Yadav, Advocate
for the petitioner.

1. Whether reporters of local papers may be allowed to see the judgment ?
2. To be referred to the reporters or not?
3. Whether the judgment should be reported in the digest?

Amit Rawal, J (oral).

The petitioner-defendant is aggrieved of the order dated 17.11.2015 whereby his evidence has been closed by order as well as order dated 7.4.2016 whereby the application for producing the evidence was declined.

Mr. Sandeep Kumar Yadav, learned counsel appearing on behalf of the petitioner-defendant submits that in case, one opportunity is granted, he will conclude the entire evidence.

I have heard learned counsel for the petitioner-defendant and appraised the paper book and of the view that no doubt, the petitioner-defendant was negligent in concluding the evidence. However, in order to advance justice and prevent miscarriage of justice, I deem it appropriate to grant one effective

opportunity to the petitioner-defendant to conclude the entire evidence.

Keeping in view the aforementioned observations, the impugned orders dated 17.11.2015 is set aside and the petitioner-defendant shall conclude the evidence in accordance with law subject to payment of costs of ₹5,000/- which shall be condition precedent.

Once the order closing the evidence has been set aside, it would be a futile exercise to ponder upon the authenticity of the order dated 7.4.2016 whereby application for producing documentary evidence was declined.

Accordingly, revision petition stands allowed.

(AMIT RAWAL)
JUDGE

May 5, 2016
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