

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

242

Civil Revision No. 348 of 2015

Date of Decision: August 19, 2016

RAM KUMAR

-PETITIONER

VS

SURENDER KUMAR

-RESPONDENT

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr.Abhinav Sood, Advocate for
Mr.Vikram Singh, Advocate
for the petitioner.

Mr. Gurinderjit Singh, Advocate
for the respondent.

RAJ MOHAN SINGH, J. (ORAL)

Petitioner has assailed order dated 03.01.2015 vide which evidence of the defendant was closed by order of the Court.

It has been contended that the suit was filed on 15.12.2011 and the evidence of the plaintiff was concluded only on 15.11.2014. Evidence of the defendant started w.e.f. 20.11.2014 and only three opportunities were availed by the defendant but his evidence remained un-concluded. He prays for one more effective opportunity subject to payment of adequate cost.

Mr. Gurinderjit Singh, Advocate on behalf of the respondent in all fairness does not oppose the prayer of the petitioner, however subject to payment of cost.

Taking into consideration the fact that the evidence of the defendant started only w.e.f. 12.11.2014 and was closed on 03.01.2015 i.e. within a span of less than two months. One more effective opportunity is granted to the petitioner to conclude his evidence on his own responsibility subject to payment of Rs.5000/- as costs to be paid to the respondent. Payment of cost shall be a condition precedent for granting indulgence by the trial Court.

Disposed of.

19.08.2016

jyoti Y.

(RAJ MOHAN SINGH)

JUDGE