

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

C.R.No. 4232 of 2016

Date of Decision: July 08, 2016.

Jaswant Singh and another

....Petitioners

Versus

Mukhtiar Singh and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE RAJAN GUPTA

Present: Mr. Gurcharan Dass, Advocate, for the petitioners.

Rajan Gupta, J (Oral)

Present revision is directed against the order passed by the court below whereby evidence of the plaintiffs has been closed by order.

It appears that a suit for recovery seeking damages of Rs.10 lacs was filed for alleged malicious prosecution and litigation expenses by the plaintiffs. Suit was instituted in the year 2013. Plaintiffs led their evidence. On 21.4.2016 PW/3 was cross-examined. No other witness on behalf of the plaintiffs was present. The court, thus closed the order observing that plaintiffs had already availed numerous opportunities for leading their evidence. Thereafter, application was filed for recalling of order dated 21.4.2016. However, same was rejected by the court. I find no infirmity with the order passed. It is evident that sufficient opportunities were granted to the plaintiffs to lead their evidence. By the impugned order, same was directed to be closed. There are serious doubts about the maintainability of second application for recalling of order dated 21.4.2016. However, this court has perused the said order as well. It has been mentioned therein that 13 effective opportunities were availed by the plaintiffs to conclude their evidence and costs were also imposed at a particular stage. Having failed to conclude, the court passed the order. There is no ground to interfere in revisional jurisdiction. Dismissed.

**(Rajan Gupta)
Judge**

July 08, 2016.

BB