

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Revision No. 4265 of 2016 (O&M)

Date of decision : July 12, 2016

Ranjit Singh

... Petitioner

vs.

Jitender Singh

... Respondent

CORAM: HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. P.S. Punia, Senior Advocate
with Ms. Harveen Kaur, Advocate
for the petitioner.

Surinder Gupta, J

1. Mr. Anil Ganghas, Advocate, has appeared on behalf of plaintiff-respondent.

2. This is revision against order of Additional Civil Judge (Senior Division), Mohali, whereby evidence of defendant was closed by order dated 06.05.2016 and application to review that order was also dismissed.

3. Learned counsel for the defendant-petitioner submits that defendant-petitioner, if allowed one opportunity, will produce and conclude his evidence at own responsibility and no further adjournment shall be sought.

4. On perusal of the paper book, I find that learned Addl. Civil Judge (Senior Division), Mohali, has closed the evidence of the petitioner, after giving numerous adjournments and also due to non-payment of the costs imposed. Still, keeping in view the interest of justice and the submissions made by learned counsel for the petitioner, the petition is allowed and one more opportunity is allowed to the petitioner, subject to deposit of ₹15,000/- as costs with the Mediation and Conciliation Center of

this Court, which will be deposited within a week from today. On deposit of this amount and furnishing of the receipt on the next date, learned trial Judge will allow one opportunity to the petitioner to produce the entire evidence, at his own responsibility and no further adjournment will be allowed to the petitioner.

5. Learned counsel for the respondent submits that he will cross-examine all the witnesses on the date, they appear.

6. Learned counsel for the petitioner will ensure that all the witnesses are present in the court at 10.30 a.m. on the day fixed for their statement and in case the cross-examination is not concluded, the same will be continued on day to day basis. Learned counsel for the petitioner is also directed to file the list of witnesses within two weeks. He will not be allowed to furnish the affidavit of any other witness on the date fixed for cross-examination of the witnesses and will supply the copy of the affidavit of witnesses to the counsel for the plaintiff in advance.

July 12, 2016
deepak/jv

(Surinder Gupta)
Judge