

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

Civil Revision No.4684 of 2016

Date of Decision: July 25, 2016

Saroj Bala

...Petitioner

Versus

Kulbhushan Kumar

...Respondent

CORAM: HON'BLE MR.JUSTICE AMIT RAWAL, JUDGE

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?

Present: Mr.Jaskaran Singh Attar, Advocate,
for the petitioner.

AMIT RAWAL, J. (Oral)

The petitioner is aggrieved of the order dated 11.5.2016,
whereby her evidence has been closed without giving sound reasons.

Mr.Jaskaran Singh Attar, learned counsel for the petitioner-
defendant submits that the petitioner's father had executed a Will dated
4.9.1989 in her favour. The said Will was examined by Neeraj Kumar
Gupta. The trial Court closed the evidence of the petitioner without
giving sufficient opportunity. The application moved for summoning
witness Neeraj Kumar Gupta, Joint Secretary, Punjab Civil Secretariat,
Chandigarh has been dismissed. He submits that in case one opportunity

is granted, he will conclude the entire evidence.

I have heard the learned counsel for the petitioner-defendant and appraised the paper book.

In order to advance justice and prevent miscarriage of justice, I deem it appropriate to grant one effective opportunity to the petitioner to conclude her evidence.

Keeping in view the aforementioned observations, the impugned order is set aside and the petitioner-defendant is granted one opportunity to examine Neeraj Kumar Gupta, subject to payment of costs of ₹5,000/-, which shall be condition precedent. If the costs is not paid as directed, the order already passed by the court below shall stand restored.

The petitioner is directed to seek the assistance of the Court to summon the witness to lead evidence and move an appropriate application in this regard before the date fixed and the trial Court would allow the same and serve the summoned witness through dasti process on the date fixed.

The revision petition is allowed.

July 25, 2016
ramesh

(AMIT RAWAL)
JUDGE

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No