

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

C.R. No.5038 of 2016

Date of Decision.08.08.2016

Harjit Singh and another

.....Petitioners

Vs.

Smt. Harcharan Kaur and others

.....Respondents

Present: Mr. Balbir Singh Jaswal, Advocate
for the petitioners.

CORAM:HON'BLE MR. JUSTICE AMIT RAWAL

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 petitioners-defendants are aggrieved of the order dated 23.02.2016, whereby, evidence of the defendants was closed on the ground that despite availing several opportunities, the defendants did not conclude the evidence.

Mr. Balbir Singh Jaswal, learned counsel appearing for the petitioners submits that defendant No.1 and two other witnesses have to be examined and in case, one opportunity is granted, petitioners will conclude the evidence of aforementioned witnesses.

I have heard the counsel for the petitioners-defendants and appraised the paper book and of the view that no doubt, the petitioners-defendants were 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 to conclude evidence of aforementioned witnesses.

Keeping in view the aforementioned observations, the impugned order is set aside and the petitioners-defendants shall conclude the evidence in accordance with law subject to payment of costs of ₹5,000/- which shall be condition precedent. If the costs is not paid as directed, the order passed already by the court below shall stand restored.

The impugned order is set aside and the revision petition is allowed.

(AMIT RAWAL)
JUDGE

August 08, 2016
Pankaj*

Whether reasoned/speaking Yes

Whether reportable No