

Civil Revision No.5185 of 2016 (O&M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

C.R.No.5185 of 2016 (O&M)

Date of Decision: August 12, 2016

Sarabjeet Singh

...Petitioner

Versus

Avtar Singh (since deceased) through L.Rs & others

...Respondents

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

Present: Mr.Mandeep Singh Sachdev, Advocate,
for the petitioner.

AMIT RAWAL, J. (Oral)

The present revision petition is against the impugned order dated 19.7.2016 (Annexure P-1), whereby the evidence of the petitioner-plaintiff has been closed by order except the cross-examination of PW-4.

Mr.Mandeep Singh, learned counsel for the petitioner-plaintiff submits that the trial Court while closing the evidence of the petitioner by the impugned order has not assigned any justifiable reasons. The Court has also not appreciated the settled law of this Court as well as the Hon'ble Supreme Court. He submits that one opportunity may be

granted to the petitioner-plaintiff to conclude his evidence subject to any

terms and conditions which this Court deem fit.

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

In view of the statement of the learned counsel for the petitioner, I dispose of the present revision petition with a direction to the trial Court to grant one effective opportunity to the petitioner-plaintiff to conclude his evidence subject to payment of Rs.5,000/- as costs, which shall be condition precedent. The petitioner shall take the assistance of the Court for summoning the witnesses.

The direction given in this order shall not be construed to be evidence in affirmative as the application for additional evidence had been dismissed, against which Civil Revision No.4998 of 2016 is stated to be pending and there is an interim order.

The trial Court is not precluded to record evidence as per directions contained in this order despite the interim order passed in CR No.4998 of 2016.

Revision petition stands allowed.

August 12, 2016
ramesh

(AMIT RAWAL)
JUDGE

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No