

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

**CR No.5363 of 2016 (O&M)**

**Date of decision:22.08.2016**

Capt. Paramjit Singh Guron and another

... Petitioners

Vs.

Sh. Jaswant Dhawan

... Respondent

**CORAM: HON'BLE MR. JUSTICE AMIT RAWAL**

Present:- Mr. D.D.Gupta, Advocate  
for the petitioners.

**AMIT RAWAL J. (Oral)**

Petitioner-plaintiffs are aggrieved of the impugned order dated 19.05.2016 (Annexure P-1), whereby, their evidence has been closed by the Court order.

Mr. D.D.Gupta, learned counsel appearing on behalf of the petitioner-plaintiffs submits that in case, opportunity is granted, subject to any terms and conditions which this Court deem fit, the petitioners will examine two witnesses, i.e., one official witness and another petitioner No.1 himself and conclude their entire evidence. He further submits that no prejudice would be caused to the respondent, who shall be compensated in terms of costs.

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

No doubt, the petitioner-plaintiffs had taken many adjournments to lead evidence and failed to do so, but I am of the view that the lis between the parties is required to be adjudicated on merits and not on technicalities. In order to render justice, I deem it appropriate, to grant two effective opportunities to the petitioners before the Court below to examine two witnesses, i.e., one official witness and another petitioner No.1 himself and conclude entire evidence, if permissible in law, subject to payment of costs of ₹5,000/- to be paid to the contesting respondent, which shall be a condition precedent .

Accordingly, the revision petition stands allowed.

**(AMIT RAWAL)**  
**JUDGE**

**August 22, 2016**  
savita

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No