

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

**C.R. No.6368 of 2016
Date of Decision.25.10.2016**

Vijay Kumar

.....Petitioner

Vs

Surjeet Singh (now deceased) through LRs

.....Respondents

Present: Mr. Mohd. Yousaf, Advocate
for the petitioner.

CORAM:HON'BLE MR. JUSTICE AMIT RAWAL

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AMIT RAWAL J. (ORAL)

The petitioner-defendant No.4 is aggrieved of the order dated 05.09.2016, whereby, his evidence has been closed.

Mr. Mohd. Yousaf, Advocate for the petitioner-defendant No.4 submits that in case, one opportunity is granted, he will conclude the entire evidence.

I have heard the counsel for the petitioner-defendant No.4 and appraised the paper book and of the view that no doubt, the petitioner-defendant No.4 was 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-defendant No.4 to conclude the evidence.

Keeping in view the aforementioned observations, the impugned order is set aside and the petitioner-defendant No.4 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

October 25, 2016
Pankaj*

Whether reasoned/speaking	Yes
Whether reportable	No