

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

Civil Revision No.6848 of 2015

Date of Decision:- 11.01.2016

Vijender

.....Petitioner

Versus

Hem Lata

.....Respondent

CORAM: HON'BLE MR. JUSTICE SHEKHER DHAWAN

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. Sat Narain Yadav, Advocate, for the petitioner.

SHEKHER DHAWAN, J

Present petition under Article 227 of the Constitution of India for setting aside the order dated 07.07.2015, passed by Civil Judge (Jr. Divn.) Rewari, whereby evidence of the plaintiff was closed by Court order.

2. Learned counsel for the petitioner submitted that the petitioner could not lead the evidence before the Court so as to examine registration clerk, Tehsildar Rewari along with file, deed writer who could not be examined and they be allowed to be examined by allowing the present petition. More so, the petitioner had already deposited the diet money for summoning these witnesses but still Court below declined the request of adjournment and plaintiff's evidence was closed by Court order. The said order be set aside.

3. Having considered the submissions made by learned counsel for petitioner, this Court is of the considered view that petitioner had already availed 11 adjournments before the order under challenge was passed by the Court below. Before passing that order learned trial Judge burdened the plaintiff with payment of costs and last opportunity for plaintiff's evidence was also ordered on two different dates. It is not the case of the petitioner that summons of any official witness were obtained for any particular date or summons were taken dasti by petitioner or even any such request was made before the Court for getting the dasti summon. Mere deposit of process fee for summoning of any witness does not give an unending right to the party to linger on the matter unreasonably.

4. In the present case, the petitioner was awarded more than reasonable opportunities to conclude evidence but petitioner failed to conclude evidence and Court below was justified while passing the order under challenge. Hence, the present petition is without any merit and the same stands dismissed.

January 11, 2015

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**(SHEKHER DHAWAN)
JUDGE**