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IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CR-7707-2016 (O&M)  
Date of decision: 17.11.2016

**Kiran Rani and another** .....**Petitioners.**

**Versus**

**Shanti Devi and ors** .....**Respondents.**

**CORAM: - HON'BLE MR. JUSTICE RAJAN GUPTA.**

Present: - Mr. Vikas Singh, Advocate for petitioners.

**Rajan Gupta, J.**

....

Present petition is directed against the order passed by the trial court dated 28.9.2016 (Annexure P-1), whereby evidence of petitioners-defendants has been closed by order. It is urged before the court that witness Kiran Rani was present before the court on two days. She was partly cross-examined. Matter was adjourned on several dates at the request of learned counsel for plaintiffs. Thereafter, on two dates, Kiran Rani could not appear before the court due to reasons beyond her control. Trial court thus closed the evidence by passing the impugned order. Learned counsel for petitioners-defendants submits that it shall be in the interest of justice, if one opportunity is granted to defendants to conclude its evidence.

Keeping in view the facts and circumstances of the case, this court feels that prayer of petitioners-defendants deserves to be accepted. In case trial of the case is still pending, the court shall grant one opportunity to petitioners-defendants to conclude their evidence.

This court is conscious of the fact that present order is being passed without issuing notice to respondents-defendants. In view of same, petitioners shall be liable to pay ₹ 5,000/- as costs to be paid to respondents-plaintiffs.

Petition is thus allowed in the above terms.

**(RAJAN GUPTA)**  
**JUDGE**

17.11.2016  
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|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether Reportable        | Yes/No |