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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR-8157-2016 (O&M)

Date of decision : 03.12.2016

M/s Malhotra Land Developers and Colonizer Private Ltd.

... Petitioner

Versus

Jaswinder Singh Sran @ Mintu and others

... Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present: Mr. Daman Dhir, Advocate
for the petitioner.

AMIT RAWAL, J. (ORAL)

The petitioner is aggrieved of the impugned order dated 04.04.2016 (Annexure P-8), whereby, his evidence has been closed by the Court order.

Mr. Daman Dhir, learned counsel for the petitioner submits that in case, one opportunity is granted, subject to any terms and conditions which this Court deem fit, the petitioner will conclude the entire evidence.

He further submits that no prejudice would be caused to the respondents, who shall be compensated in terms of costs.

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

No doubt, the petitioner had taken many effective opportunities 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 one effective opportunity to the petitioner before the Court below to conclude entire evidence, subject to payment of costs of ₹ 2,500/- 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, dispensing with notice to the respondent(s).

03.12.2016
Yogesh Sharma

(AMIT RAWAL)
JUDGE

✓

Whether speaking/reasoned Yes/ No

✓

Whether Reportable Yes/ No