

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH.**

Civil Revision No.823 of 2016 (O&M)

Date of Decision: February 05, 2016

Gulzar Singh and another

.....PETITIONERS.

VERSUS

Mohinder Singh and others

.....RESPONDENTS.

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Mayank Mathur, Advocate
for the petitioners.

SURINDER GUPTA, J.

Heard.

Learned counsel for the petitioners has not disputed that defendants-petitioners have availed 29 opportunities to conclude the evidence, however, he submits that some of the adjournments were because of the lapse on the part of plaintiffs-respondents. On those dates, the witnesses were present, but could not be examined. He, however, submits that defendants have to examine only document expert, Lambardar Kaka Singh and Seema Sharma, Assistant Director, besides his own cross-examination and undertakes to produce all these witnesses at own responsibility. He seeks only one adjournment subject to heavy costs.

It is apparent that lower Court has already afforded sufficient opportunities to the revision petitioners to produce the evidence, but still

keeping in view the interest of justice, one more adjournment is allowed to the revision petitioner to conclude his evidence subject to payment of ₹20,000/- as costs, which the revision petitioners will deposit with Legal Service Authority, Patiala. On deposit of this amount within seven days from today, learned Civil Judge (Junior Division), Patiala will give one opportunity to the petitioners to produce the entire evidence at own responsibility. It is made clear that in the event of witnesses not appearing on the given date, due to any reason, no further adjournment shall be allowed.

In order to avoid unnecessary delay in disposal of the case which is already pending for the last about 7 years and to avoid expenses by plaintiffs-respondent, the petition has been decided without notice to respondent. However, in the event of respondent being not satisfied with this order, he may move application, which on filing shall be listed with this revision petition for hearing.

February 05, 2016
deepak/jv

(Surinder Gupta)
Judge