

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CR No.8459 of 2016 (O&M)

Date of decision:15.12.2016

Harbhajan Singh

... Petitioner

Vs.

Sarwan Singh and others

... Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present:- Mr. P.S.Jammu, Advocate
for the petitioner.

AMIT RAWAL J. (Oral)

The petitioner is aggrieved of the order dated 20.10.2015, whereby, his evidence has been closed by the Court order and order dated 8.11.2016, vide which the application filed by him seeking permission to examine the handwriting, much less finger print expert and the application for recalling of the order dated 20.10.2015, have been dismissed.

Mr. P.S.Jammu, learned counsel appearing on behalf of 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 adjournments 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 ₹5,000/- to be paid to the contesting respondents, which shall be a condition precedent .

Accordingly, the revision petition stands allowed.

(AMIT RAWAL)
JUDGE

December 15, 2016
savita

Whether Speaking/Reasoned

Yes/No

Whether Reportable

Yes/No