

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CR No. 8194 of 2014 (O&M)

Date of Decision:- 19.01.2016

Ramesh Chand

...Petitioner

Versus

Ishwar and others

...Respondents

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:- Ms. Pratibha Yadav, Advocate,
for petitioner.

Mr. Sanjay Mittal, Advocate,
for respondents No.1 to 4.

SHEKHER DHAWAN, J.

Present petition under Article 227 of the Constitution of India for setting aside order dated 17.05.2013 (Annexure P-1) passed by Civil Judge (Jr. Division), Narnaul, whereby evidence of petitioner/plaintiff was closed by the Court below.

2. Learned counsel for the petitioner submitted that petitioner was not given reasonable opportunities to lead the evidence and in fact only two effective adjournment were given. It is prayed that petitioner be given one opportunity and he will conclude the evidence at his own responsibility before the Court below.

3. Learned counsel for respondents submitted that earlier

application for additional evidence was filed and same was allowed by the Court below and thereafter matter was pending before this Court. The plea for additional evidence was declined by this Court but, at the same time option was given to the present petitioner to challenge the order whereby petitioner evidence was closed by Court order.

4. Having considered the submissions made by learned counsel for the parties, this Court is of the considered view that petitioner had been allowed to avail two effective adjournments and thereafter petitioner evidence was closed by Court below. Even plaintiff has not been examined in this case by now.

5. In view of the above, present petition is accepted and it is ordered that petitioner shall be given one opportunity for leading the entire evidence at his own responsibility, subject to the payment of cost of ₹10,000/-.

January 19, 2016

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(SHEKHER DHAWAN)
JUDGE