

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

**CR No.8549 of 2016
Date of decision:19.12.2016**

Gurdeep Singh and others

... Petitioners

Vs.

Sukhwinder Kaur and another

... Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present:- Mr. H.S.Dhindsa, Advocate
for the petitioners.

AMIT RAWAL J. (Oral)

The petitioners are aggrieved of the order dated 18.10.2016, whereby, their evidence has been closed by Court order and order dated 3.11.2016, whereby, the application for setting aside the order dated 18.10.2016, has been dismissed.

Mr. H.S.Dhindsa, learned counsel appearing on behalf of the petitioners submits that in case, one opportunity is granted to examine two witnesses namely, Gurnam Singh and Sukhwinder Kaur, subject to any terms and conditions which this Court deem fit, the petitioners 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 petitioners and appraised the paper book.

No doubt, the petitioners 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 petitioners to examine two witnesses namely, Gurnam Singh and Sukhwinder Kaur 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 19, 2016
savita

Whether Speaking/Reasoned

Yes/No

Whether Reportable

Yes/No