

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (227) No.300 of 2017**

Santosh Tejawani, aged about 46 years (now 51 years), S/o Late Shri Bhagwnadas Tejawani, R/o Infront of Jain Temple, Sahgal Gali, Sarkanda, Bilaspur, Tahsil & District Bilaspur (CG) Present Address Flat 201 B-Block Parvati Tower New Sarkanda, Bilaspur, Tahsil & District Bilaspur (CG)

---Petitioner**Versus**

Omprakash Manchanda, aged about 48 years, S/o Late Shri Harjash Ram Manchanda, R/o infront of Jain Temple, Sahgal Gali, Sarkanda, Bilaspur, Tahsil & District Bilaspur (CG)

---Respondent

For petitioner : Mr.S.C.Verma, Advocate

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****13/04/2017**

Heard.

1. Learned counsel for the petitioner would submit that the trial Court has declined to examine Shri C.J. Chouthani, Shri Arjun Thirthani and Shri Nandlal Pamnani to prove his case, which is very much essential and opportunity to lead the evidence has been closed. He would further submit that two witnesses out of three witnesses be allowed to be examined and the respondent be compensated by payment of cost.
2. I have heard learned counsel for the petitioner and perused the impugned order.

3. Since the trial Court has fixed the case for 10.5.2017, on that day, the petitioner/plaintiff will keep present two witnesses out of three witnesses for examination and they will be examined by the trial Court subject to payment of cost of Rs.5000/- to the respondent/defendant. However, the respondent/defendant is at liberty to move an application for modification of the order, if he is aggrieved.
4. With the aforesaid observation, the writ petition finally stands disposed of. No order as to cost(s).

Sd/-

(Sanjay K. Agrawal)
JUDGE

B/-