

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

CR No. 1190 of 2017

Date of decision : 27.02.2017

Rajesh Kumar & anr.

...Petitioners

V/s

Dulari Devi & ors.

...Respondents

BEFORE : HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. J.S. Dadwal, Advocate for the petitioners.

RAJAN GUPTA J.

Challenge in the present revision petition is to order dated 04.01.2017 passed by trial court whereby evidence of the plaintiffs has been closed by order. Learned counsel for the petitioners submits that plaintiffs had led its entire evidence. Affidavit of one witness namely Mahavir Partap PW3 was tendered in the court on 01.04.2016. Thereafter, the said witness did not turn up before the court and, thus could not be cross-examined. According to him, one opportunity may be granted to plaintiffs-petitioners to conclude their evidence. Purely in the interest of justice, it is directed that one opportunity be granted to plaintiffs to conclude their evidence at their own risk and costs. This, however, will be subject to payment of ₹7,000/- as costs to be remitted to respondent no. 1. This court is conscious of the fact that order is being passed without notice to the respondents.

Allowed in these terms.

February 27, 2017

Ajay

(RAJAN GUPTA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No