

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

CR No.1608 of 2017

Date of decision: March 06, 2017

Tejwant Singh Chahal and others

...Petitioners

Versus

Jagdev Singh and others

...Respondents

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Jai Bhagwan, Advocate
for the petitioners.

JASPAL SINGH, J.(ORAL)

By virtue of the instant petition preferred under Article 227 of Constitution of India, petitioners have sought setting aside the order dated 19th January, 2017 passed by Civil Judge (Junior Division), Malerkotla whereby the evidence of petitioner/plaintiff has been closed by order.

Though petitioners do not deserve any leniency and further that impugned order has been passed after taking into consideration the facts that issues were framed vide order dated 16th August, 2014 and the case has been adjourned time and again for the evidence of the petitioners/plaintiffs. Yet, keeping in view the fact that petitioners/plaintiffs residents of Canada and it was somewhat difficult for them to come and appear as a witness in support of their claim to the suit.

Thus, this Court is of the considered view that it would be in the fitness of things and justice that they should be afforded two effective opportunities to adduce and conclude their evidence.

Accordingly, instant petition stands disposed of with direction to the trial Court to afford two effective opportunities to the petitioners to adduce and conclude their evidence. However, no application in any

provision of law shall be entertained by the Court preferred on behalf of petitioners/plaintiffs and the entire remaining evidence shall be adduced by the petitioners/plaintiffs at their own responsibility.

Disposed of.

March 06, 2017
m. sharma

(JASPAL SINGH)
JUDGE

Whether Speaking/Reasoned

Yes/No

Whether Reportable

Yes/No