

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

Sr. No.127

CR No.2738 of 2017 (O&M)
DECIDED ON: April 20, 2017

M/S MALHOTRA LAND DEVELOPERS & COLONIZER PVT LTD

..PETITIONER

VERSUS

JASWINDER SINGH SRAN @ MINTU & OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Daman Dhir, Advocate,
for the petitioner.

JASPAL SINGH, J. (ORAL)

By virtue of the instant petition preferred under Article 227 of the Constitution of India, petitioner has sought setting aside/quashing of order dated January 17, 2017 (Annexure P-9) passed by learned Civil Judge (Jr. Divn.), Ludhiana whereby the evidence of the plaintiff/petitioner has been closed by the orders of the court and the case has been posted for rebuttal evidence.

A perusal of the file reveals that earlier also the evidence of the plaintiff/petitioner has closed by the orders of the court. Earlier produced the evidence, vide order dated April 04, 2016 which was challenged before this Court vide CR No.8157 of 2016 that civil revision petition decided by this court vide order dated December 03, 2016, vide which the

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plaintiff/petitioner has granted one effective opportunity to conclude the entire evidence before the trial court subject to payment of Rs.2500/- as costs. Even after availing that opportunity, the petitioner/plaintiff did not conclude his evidence and ultimately finding no further adjournment, the evidence of the petitioner/plaintiff was closed by the orders of the court vide impugned order dated January 17, 2017. Since, the petitioner has already availed an ample opportunity to adduce and conclude his evidence. This court is also of the considered view that there is no justification for allowing further adjournment. This court does not find any infirmity, illegality or impropriety in the impugned order dated January 17, 2017.

Hence, instant petition stands dismissed.

April 20, 2017

Ankur

**(JASPAL SINGH)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No