

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

Civil Revision No.3224 of 2017

Date of decision: May 05, 2017

Jatender Kumar Puri

...Petitioner

Versus

Tarlochan Singh and others

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: H.S. Saggu, Advocate for the petitioner.

Rajan Gupta, J.

Present revision petition is directed against the order dated 15.10.2016 as well as order dated 18.03.2017, whereby evidence of petitioner has been closed by order and application seeking to lead evidence has been dismissed.

Learned counsel for the petitioner has assailed the order. According to him, there was no intentional delay on the part of petitioner to lead his evidence. Thus, order passed by the court below deserves to be set-aside.

I have heard learned counsel for the petitioner and given careful thought to the facts of the case.

It appears, respondents filed a petition under the East Punjab Urban Rent Restriction Act for ejectment of petitioner from the shop in question. Respondent-landlords led their evidence. After closure of their evidence, sufficient opportunities were granted to the petitioner, but he

failed to lead any evidence and ultimately, his evidence was closed by the court on 15.10.2016. Thereafter, on 9.12.2016, petitioner moved application for recalling the order dated 15.10.2016. Keeping in view facts and circumstances of the case, trial court dismissed the application on the ground that petitioner failed to disclose any reasonable ground to recall the order dated 15.10.2016. A perusal of impugned order shows that during evidence of the respondents also, petitioner tried to delay the proceedings by seeking repeated adjournments for cross-examination of respondents' witnesses. As trial of the case is at its fag end, I find no ground to interfere in revisional jurisdiction. The petition is without any merit and is hereby dismissed.

(RAJAN GUPTA)
JUDGE

May 05, 2017
'Rajpal'

Whether speaking / reasoned

Yes / No

Whether Reportable:

Yes / No