

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

239

CR No.3250 of 2017  
Date of decision: 30.10.2017

Bashir

..... Petitioner

Versus

Kamar Khan

..... Respondent

**CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL**

Present:- Mr. Shiva Khurmi, Advocate, for  
Mr. Sarfraj Hussain, Advocate  
for the petitioner.

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**ANIL KSHETARPAL, J. (ORAL)**

No one is present on behalf of the respondent.

Plaintiff-petitioner is in revision petition against the order dated 26.04.2017 closing the evidence of the plaintiff.

Plaintiff had filed a suit for possession by way of specific performance of the agreement to sell. The suit was instituted on 09.09.2015.

A reading of the order shows that on 26.04.2017, plaintiff had examined three witnesses. However, the Court closed further evidence of the plaintiff. The plaintiff wishes to examine only one witness Rashid Ahmed.

Taking into consideration the fact that the suit is with regard to immovable property and the plaintiff has already affixed Court fee of Rs.36,800/-, the order under challenge is modified and the plaintiff is granted one more opportunity to complete his entire evidence. However, this opportunity shall be subject to payment of cost of Rs.10,000/-.

Respondent shall be at liberty to move an application for recall,  
if aggrieved.

Revision petition is allowed.

30.10.2017  
Dinesh Bansal

( ANIL KSHETARPAL )  
JUDGE

|                           |          |
|---------------------------|----------|
| Whether speaking/reasoned | Yes / No |
| Whether Reportable        | Yes / No |