

**HIGH COURT FOR THE STATES OF PUNJAB & HARYANA AT
CHANDIGARH**

**CR No.4211 of 2014
Date of decision:17.1.2017**

Harmohan Singh

...Petitioner

Versus

Harminder Kaur Sidhu and others

...Respondents

CR No.5401 of 2015

Harminder Kaur Sidhu

...Petitioner

Versus

Harmohan Singh and others

...Respondents

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present: Mr.Akshay Bhan, Sr. Advocate with
Mr.Santosh Kumar, Advocate for the petitioner in
CR No.4211 of 2014 and for respondent No.1 in
CR No.5401 of 2015.

Mr.Vikas Bahl, Sr. Advocate with
Mr.Nitish Garg, Advocate for the petitioner in
CR No.5401 of 2015 and for respondent No.1 in
CR No.4211 of 2014.

Mr.H.S.Bhullar, Advocate for respondents No.2 to 5 in
CR No.5401 of 2015.

RAMESHWAR SINGH MALIK, J. (Oral)

These two identical revision petitions are directed against the order dated 11.4.2014 passed by the learned trial Court, whereby application under Order 9 Rule 7 read with Section 151 of the Code of Civil Procedure filed by defendant No.1 was partly allowed. Both the parties felt aggrieved.

Civil Revision No.4211 of 2014 has been filed by the plaintiff, whereas Civil Revision No.5401 of 2015 has been filed by the defendants. That is how, both these revision petitions are being disposed of, vide this common and consent order.

Learned senior counsel for both the parties have fairly stated before this Court that instead of getting the matter further delayed, it would be in the interest of both the parties to resolve this controversy at the earliest. Since the plaintiff evidence was still going on, defendants shall be permitted to file their written statement but will have only two effective opportunities for the said purpose. After filing the written statements by the defendants, plaintiff shall have one more opportunity to file his replication. Thereafter, the learned trial Court shall frame additional issues, if so required. Defendants shall have two effective opportunities to cross-examine the already examined PWs. They have further agreed that both the parties shall make an endeavour to conclude their evidence at the earliest possible time and none of the parties shall claim more than three effective opportunities to conclude their respective evidence.

Since the suit is pending decision for the last more than 14 years, learned trial Court shall make an endeavour to decide the suit as early as possible and in any case within a period of one year from 21.1.2017.

The impugned order dated 11.4.2014 passed by the learned trial Court would stand modified accordingly.

With the above-said observations made and directions issued, both these revision petitions stand disposed of, however, with no order as to costs. Pending applications are also disposed of.

17.1.2017
mks

(RAMESHWAR SINGH MALIK)
JUDGE

Whether Speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No