

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

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**Civil Revision No.4244 of 2017(O & M)
Date of Decision:14.07.2017**

Sumitra Devi

....petitioner

Versus

Joginder Pal and others

.....respondents

CORAM: HON'BLE MR.JUSTICE ARUN PALLI

Present: Mr.Abhimanyu Batra, Advocate
for the petitioner

ARUN PALLI, J. (ORAL):

CM-14001-CII-2017

Application is allowed as prayed for. Annexures P4 to P8 are taken on record.

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Vide order, being assailed, dated 24.05.2017, rendered by Civil Judge (Senior Division), Jind, evidence of the petitioner has since been closed by order.

Ex facie, the petitioner has been remiss and negligent in pursuing her cause, for, despite numerous opportunities, as also the last opportunity, she failed to lead and conclude her evidence. It shall also be true that in the event, she is not afforded one effective opportunity to lead her evidence, she would suffer an incalculable loss, which might also result in miscarriage of justice.

That being so, without issuing notice to the respondents to avert any further delay and the expenses that they shall have to incur to

defend these proceedings, the order dated 24.05.2017 is set aside, and, the revision petition is disposed of in the following terms:

1. The petitioner shall be granted two effective opportunities to lead and conclude her entire evidence on the dates that shall be specified in this regard by the trial Court.
2. In the event of default/failure, the evidence of the plaintiff-petitioner shall be deemed to have been closed and the matter shall not be adjourned at any cost.
3. This, however, shall be subject to payment of costs of ₹ 5000/-, which shall be a condition precedent.

July 14, 2017

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(ARUN PALLI)
JUDGE

Whether speaking/reasoned

Yes/No.

Whether reportable-

Yes/No