

CR No.4872 of 2017

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

**CR No.4872 of 2017 (O&M)
Date of decision: 27.07.2017**

Elite County Developers Pvt. Ltd. and another

...Petitioners

Versus

Harjit Kaur

...Respondent

CORAM:HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Bikramjit Aroua, Advocate,
for the petitioners.

Ritu Bahri, J.

Challenge in this petition is to the orders dated 17.04.2017 passed by the Additional Civil Judge (Senior Division), Amritsar, whereby evidence of defendant-petitioners has been closed by order and the order dated 15.07.2017 (Annexure P-1), whereby review application of the petitioner has been dismissed.

Plaintiff-respondent filed a suit in the year 2015 for possession by way of specific performance of agreement to sell dated 24.12.2013 executed by defendants-petitioner in her favour.

A perusal of the impugned order shows that despite availing seven opportunities, defendant-petitioners could not conclude their evidence and ultimately, their evidence was closed by order.

Learned counsel for the petitioners states that plaintiff-respondent had also taken sufficient time to conclude her evidence, therefore, one more

opportunity may be granted to the petitioners.

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In the given circumstances of the case, to impart complete justice to the parties and also to avoid deprivation of full opportunity to the petitioners, this Court deems it appropriate to provide some time to the petitioners to complete their evidence.

In view of the above, the impugned orders 17.04.2017 & 15.07.2017 are set aside and one effective opportunity is granted to the defendant-petitioners to conclude their evidence, subject to costs of ₹5,000/- to be given to plaintiff-respondent.

Allowed accordingly.

27.07.2017
ajp

(RITU BAHRI)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No