

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR No.5130 of 2017

Date of Decision : 11.08.2017.

Bhagat Ram and others

.....Petitioners

Versus

Krishan Kumar and others

..... Respondents

CORAM : HON'BLE MR.JUSTICE ARUN PALLI

Present : Mr. Akshay Kumar Jindal, Advocate for the petitioners.

ARUN PALLI, J. (Oral)

Vide orders that have been assailed, dated 23.01.2017 (Annexure P-6) and 08.02.2017 (Annexure P-7), rendered by the Additional Civil Judge (Sr. Divn.), Panchkula, evidence of the petitioners/defendants has since been closed.

Ex facie, the petitioners have been remiss and negligent in pursuing their cause. But it shall also be true that in the event they are not granted one more effective opportunity to lead and conclude their evidence they shall not only suffer an incalculable loss but that might also result in miscarriage of justice.

That being so, the impugned orders are set aside and the revision petition is disposed of, without issuing any formal notice to the respondents to avert any further delay and the expenses that they shall have to incur to defend these proceedings, on the following terms:-

- a) The petitioners shall be granted one effective opportunity to examine only one witness i.e. Ram Karan on the date that shall be specified by the trial Court in this regard.
- b) In the event of default/failure, the evidence of the petitioners shall be deemed to have been closed and the matter will not be adjourned at any cost.
- c) This, however, shall be subject to a payment of ₹10,000/- as cost that shall be the condition precedent.

11.08.2017

Manoj Bhutani

(ARUN PALLI)
JUDGE

Whether speaking/reasoned
Whether reportable:

Yes/No
Yes/No