

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Civil Revision No.6497 of 2017
Date of Order: 22.09.2017

Gurmel Singh

..Petitioner

Versus

Sadhu Singh and another

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Jaskaran Singh Attar, Advocate,
for the petitioner.

ANIL KSHETARPAL, J (Oral)

Plaintiff is in revision petition against the order passed by learned Civil Judge (Sr. Division), Ludhiana, dated 01.09.2017, closing his evidence on the ground that the plaintiff has already availed three effective opportunities.

The suit was instituted on 29.04.2016. It is not an old suit. No doubt as per the provisions of the Code of Civil Procedure, plaintiff is entitled to three effective opportunities, however, such provision has been held to be directory and not mandatory.

Taking into consideration the facts available from the file, I deem it appropriate to grant one more effective opportunity.

Learned trial Court shall grant one more effective opportunity to the petitioner-plaintiff to conclude his entire evidence, subject to payment of costs of Rs.10,000/-. The cost of Rs.10,000/- be deposited with the State Legal Services Authority.

Learned counsel for the petitioner has informed that the next

date of hearing before the trial Court is 25.09.2017.

Learned trial Court shall adjourn the case for 15 days and on the date to be fixed, the plaintiff shall bring his entire evidence on his own responsibility.

Since the revision is being allowed without issuance of any notice to the respondents, therefore, they shall be at liberty to re-call the order, if so advised.

Revision petition stands disposed of accordingly.

September 22, 2017
nt

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned
Whether reportable

: Yes/No
: Yes/No