

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

CR No.7218 of 2016 (O&M).

Date of Decision: 16.01.2017.

M/s Girnar Impex Limited and anotherPetitioners.

VERSUS

M/s A.R. ShippingRespondent.

CORAM: HON'BLE MRS. JUSTICE SNEH PRASHAR.

Present: Mr. Virender Jain, Advocate for the petitioners.

SNEH PRASHAR, J.

CM-493-CII-2017

Zimni orders Annexure-P16 (colly) are taken on record.

Application stands disposed of.

CR-7218-2016

The instant revision petition has been preferred against the order dated 01.08.2016 passed by learned Civil Judge (Junior Division), Jalandhar dismissing the application filed by the petitioners for recalling the order dated 07.01.2016 whereby the evidence of the petitioners was closed by court order.

After arguing for some time, when this Court is not ready to accept the contention of learned counsel for the petitioners, he submits that he confines his prayer to the extent that the witness of the defendants, whose examination-in-chief in part was recorded on 22.01.2015 be allowed

to be produced for his remaining statement and cross-examination.

To avoid further delay in disposal of the case, in my considered opinion, notice to the respondent in the light of prayer made by counsel for the petitioners-defendants is not required to be issued. Since DW1 stands partly examined, the petitioners-defendants are allowed to produce the said witness for his further statement and cross-examination, subject to payment of Rs.2000/- as costs which shall be deposited by the petitioners with the Legal Aid Authority.

Accordingly, the instant revision petition is partly allowed. Only one opportunity for completing statement of DW1 will be allowed by learned trial Court by fixing an effective date of hearing. In case the witness does not appear on the said date, no further opportunity shall be accorded.

(SNEH PRASHAR)
JUDGE

16.01.2017.
jitender sharma

Whether speaking/ reasoned : **Yes**
Whether Reportable : **No**