

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

C. R No. 7015 of 2017 (O&M)

Date of decision : 09.10.2017

M.G. Thukral @ M.C. Thukral

....Petitioner

versus

Shri Rama Krishna Co-op Labour & Construction
Society Ltd & ors.

...Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Sanjay Verma, Advocate
for the petitioner.

RITU BAHRI, J. (Oral)

Challenge in this petition is to order dated 19.09.2017 passed by learned Civil Judge (Jr. Divn.), Gurgaon, vide which, the evidence of petitioner/defendant No. 5 was ordered to be closed.

A perusal of the zimini order (P-2) shows that the defendants had availed 03 effective opportunities to conclude their evidence but they failed to do so and thus, their evidence was closed.

Learned counsel for the petitioner submits that the suit was filed by the plaintiff in the year 2006 and only 03 effective opportunities were granted after the evidence of the plaintiff's was closed on 13.07.2017.

In view of the above factual position, order dated 19.09.2017 passed by learned Civil Judge (Jr. Divn.), Gurgaon is hereby set aside and the instant revision petition is ***allowed*** and the trial Court is directed to give one effective opportunity to the petitioner-defendant No. 5 to conclude his evidence.

09.10.2017

G.Arora

*Whether speaking/reasoned
Whether reportable*

*Yes
No*

**(RITU BAHRI)
JUDGE**