

CR No.7760 of 2016

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

**CR No.7760 of 2016 (O&M)
Date of decision: 27.07.2017**

Manphool Singh

...Petitioner

Versus

Gram Panchayat Kothal Kalan and another

...Respondents

CORAM:HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. J.P. Sharma, Advocate,
for the petitioner.

Mr. D.K. Mittal, DAG, Haryana.

Ritu Bahri, J.

Challenge in this petition is to the orders dated 15.10.2016 and 10.11.2016 (Annexures P-1 & P-2) passed by the Civil Judge (Junior Division), Mohindergarh, whereby evidence of plaintiff-petitioner has been closed by order and thereafter, his application for leading additional evidence has been dismissed.

Plaintiff-petitioner filed a suit for permanent injunction against defendant-respondents on 04.02.2013.

As per learned counsel for the respondents, plaintiff-petitioner had availed as many as 12 opportunities, but failed to conclude his evidence and ultimately, his evidence has rightly been closed by order.

On the other hand, learned counsel for the petitioner states that apart from examining one witness, some documents are to be tendered,

details of which have been given in the order dated 10.11.2016 (Annexure

CR No.7760 of 2016

P-2), whereby application for leading additional evidence has been declined by the trial Court.

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

In view of the above, the impugned orders 15.10.2016 & 10.11.2016 (Annexures P-1 & P-2) are set aside and one effective opportunity is granted to the plaintiff-petitioner to conclude his evidence by examining the witnesses and tendering relevant documents, subject to costs of ₹5,000/- to be deposited with the District Legal Services, Narnaul.

Allowed accordingly.

27.07.2017
ajp

(RITU BAHRI)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No