

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

129

CR No.7610 of 2017 (O&M)

Date of decision: 03.11.2017

Surinder Singh

..... Petitioner

Versus

Dhanwant Singh

..... Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr. Umesh Aggarwal, Advocate
for the petitioner.

ANIL KSHETARPAL, J. (ORAL)

Defendant-petitioner is in revision petition against the order dated 03.10.2017 and 16.10.2017 (Annexures P-6 and P-10 respectively).

Learned trial Court has closed the evidence of the defendant on the ground that sufficient opportunities have been granted to lead evidence. It is the case of the defendant that on that day, lawyers were abstaining from work and therefore, defendant could not examine the witnesses.

Learned counsel for the petitioner has further pointed out that the defendant started their evidence on 24.08.2017 and impugned order was passed on 03.10.2017 i.e. within a period of 40 days. Although, the Court has granted more than three opportunities, however, sufficient time has to be granted to the defendant to produce his evidence.

Taking into consideration that the suit is for recovery under Order 37 of the CPC in which leave to defend has already been granted, the orders under challenge are set aside. Defendant-petitioner is granted two effective opportunities to conclude his entire evidence within a period of

one month from today.

With these observations, the revision petition is allowed.

Plaintiff-respondent would be at liberty to move an application for recall of the same since this revision petition has been disposed of on the very first date.

03.11.2017
Dinesh Bansal

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned	Yes / No
Whether Reportable	Yes / No