

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

**C. R No. 8107 of 2017 (O&M)
Date of decision : 20.11.2017**

Shyam Lal

....Petitioner

versus

Sub Divisional Officer 'OP' UHBVN, Kaithal & anr.

...Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Shakti Singh, Advocate
for the petitioner.

RITU BAHRI, J. (Oral)

Challenge in this petition is to order dated 03.10.2017 passed by learned Addl. Civil Judge (Sr. Divn.), Kaithal whereby the evidence of the petitioner/plaintiff was closed.

Learned counsel submits that the petitioner/plaintiff filed the suit for damages on 30.05.2016 and out of three witnesses, one has already been examined by the petitioner and he wants to examine only two witnesses i.e MHC P.S Pundri and V.T Surgeon, G.H. Churmajra. Learned counsel submits that the above stated two witnesses were essential to prove the case of the petitioner.

In view of the above, order dated 03.10.2017 passed by learned Addl. Civil Judge (Sr. Divn.), Kaithal 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 to make an application in the Court below for summoning of MHC P.S Pundri and V.T Surgeon, G.H. Churmajra, subject to deposit of cost of Rs.3000/- to be paid before the

District State Legal Service Authority, Kaithal. The application filed by the petitioner shall be considered by the Court below.

20.11.2017

G.Arora

Whether speaking/reasoned
Whether reportable

Yes
No

(RITU BAHRI)
JUDGE