

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

CR No.8725 of 2016 (O&M).

Date of Decision: 19.01.2017.

Meenakshi

....Petitioner.

VERSUS

Balram and others

....Respondents.

CORAM: HON'BLE MRS. JUSTICE SNEH PRASHAR.

Present: Mr. Narinder Singh Dhull, Advocate for the petitioner.

SNEH PRASHAR, J.

CM-26482-CII-2016

Allowed, as prayed for.

CR-8725-2016

The petitioner is aggrieved by the order dated 17.09.2016 passed by learned Civil Judge (Senior Division), Kosli by virtue of which her evidence was closed by court order.

The submissions made by Mr. Narinder Singh Dhull, learned counsel for the petitioner have been considered.

Learned counsel for the petitioner argued that the counsel representing the petitioner before learned trial Court had wrongly asked the Court to close the evidence of the petitioner by order as is recorded in the impugned order. Producing photocopy of a complaint, which is taken on record, learned counsel contends that the petitioner has given a complaint to

the Chairman, Punjab and Haryana Bar Council, Chandigarh, against the advocate who was representing her before learned trial Court, for his conduct which was clearly against the interest of the petitioner. Learned counsel submits that in case the petitioner is not given an opportunity to lead evidence, she shall suffer irreparable loss.

Considering the submissions made and finding that absence of evidence in support of the pleas raised by the petitioner will certainly lead to adverse consequences qua her and it shall unnecessarily delay the proceedings in case notice is given to the respondents, the impugned order is set aside and the instant petition is allowed. Only one effective opportunity is given to the petitioner to produce her entire evidence subject to payment of Rs.5000/- as costs which shall be deposited with the Legal Aid Authority.

(SNEH PRASHAR)
JUDGE

19.01.2017.
jitender sharma

Whether speaking/ reasoned : **Yes**

Whether Reportable : **No**