

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

CR No.1189 of 2018

Date of Decision:21.02.2018

Parkash Kaur Petitioner

Vs.

Harbans Kaur and others Respondents

CORAM:- HON'BLE MR. JUSTICE RAMENDRA JAIN

Present:- Mr. N.S. Dadwal, Advocate for the petitioner.

RAMENDRA JAIN, J. (Oral)

Through this petition filed under Article 227 of the Constitution of India, prayer has been made for setting aside order dated 01.02.2018 of the learned trial Court closing the evidence of the petitioner- plaintiff when she did not conclude the same even after affording seven effective opportunities.

Learned counsel for the petitioner inter-alia contends that in the interest of justice, the petitioner may be afforded a single opportunity to conclude her evidence at her own responsibility.

Having given considerable thought to the submission made by learned counsel for the petitioner, though the impugned order is perfectly legal, but in the interest of justice, the same is set aside.

Consequently, the trial Court is directed to afford a single opportunity to the petitioner- plaintiff to conclude her entire evidence at her own responsibility subject to costs of ₹20,000/- to be deposited with the trial Court.

It is clarified that grant of one opportunity to the petitioner-plaintiff would not permit her to make any excuse that she could not examine/ produce her entire evidence on the date fixed before the trial Court on account of non-assistance of the trial Court. It is also clarified that if the cost is not paid with the trial Court, this revision shall automatically stand dismissed.

Disposed of with the above observations.

This order has been passed without issuing notice to the respondent- defendant with a view to impart justice expeditiously to the parties and to save the huge expenses which may be incurred by him and also to avoid unnecessary delay in the adjudication of the matter. Still, if dissatisfied, the respondent may move this Court for recalling this order within a period of six weeks from today.

February 21, 2018
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(RAMENDRA JAIN)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No