

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CR No.1379 of 2018

Date of Decision: 28.02.2018

Prem Singh

... Petitioner

Versus

State of Haryana & ors.

... Respondents

CORAM:- HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: Mr.Virendra Rana, Advocate,
for the petitioner.

RAMENDRA JAIN, J.(Oral)

Through this revision petition under Article 227 of the Constitution of India, the petitioner has assailed order dated 16.02.2018 of the trial Court closing his evidence by the Court order.

Learned counsel for petitioner contends that the petitioner could not conclude his evidence despite availing five opportunities including last one and imposition of costs as well, in view of the fact that he was completely bed ridden on the date of pronouncement of the impugned order dated 16.02.2018 on account of major operation of large intestine for a sufficient long period from 26.01.2018 to 06.02.2018 (as per medical record Annexure P-6). The petitioner may be given one opportunity to conclude his evidence.

Considering overall facts and circumstances, but without commenting on merits of the case, the impugned order dated 16.02.2018 is set aside and in the interest of justice, the trial Court is directed to grant one effective opportunity to the petitioner to conclude the entire evidence, subject to payment of costs of ₹5,000/-, to be deposited with the Member Secretary, District Legal Services Authority, Mewat.

This petition is disposed of without issuing notice to the respondents with a view to impart justice to the parties and to save the huge expenses which may be incurred by the respondents and also to avoid unnecessary delay in the adjudication of the matter. Still, if dissatisfied, the respondents may move this Court for recalling this order within six weeks from today.

28.02.2018
monika

(RAMENDRA JAIN)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>