

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

C.R. No.1580 of 2018
Date of Decision: 20.03.2018

Paramjit Singh Chawla

.... Petitioner

Versus

Kuldeep Singh

.... Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: - Mr. Liaqat Ali, Advocate,
for the petitioner.

RAMENDRA JAIN, J. (ORAL)

Through this petition under Article 227 of the Constitution of India, prayer has been made for setting aside order dated 16.02.2018 of the trial Court (Annexure P-4), whereby evidence of the petitioner-defendant has been closed.

Learned counsel for the petitioner *inter alia* contends that the trial Court has wrongly marked the presence of learned counsel for the petitioner in the order (Annexure P-4) though he was not present, but his associate was present, who had made request for adjournment on the ground that the main counsel is suffering with typhoid. In the interest of justice, the petitioner may be given one opportunity to conclude the entire evidence,

Having given considerable thought to the submission made by learned counsel for the petitioner, I find that the instant revision petition is completely devoid of any merit for the reason that first date for evidence of the defendant was fixed on 15.02.2017, which has been closed on 16.02.2018 i.e. after one year. In this span of one year, the petitioner intentionally availed more than 25 opportunities to lead his evidence.

This Court is not able to find out exact figure of adjournments sought

by learned counsel for the petitioner for the reason that the entire interlocutory

orders of the trial Court have not been produced by him, despite specific directions given in this respect for the reasons best known to him, but the fact remains that the petitioner has availed more than 25 opportunities. It seems that the same have not been intentionally produced, so that this Court may not be able to count the exact adjournments sought by the petitioner. Therefore, there is no merit in this revision.

Much water has already been flown since the last many decades. Some line has to be drawn. Now the time has come to depreciate such type of practice to approach this Court for setting aside well reasoned order of the trial Court and to make the litigants vigilant in pursuing their litigation diligently.

Since numerous opportunities were already granted to the petitioner to conclude his evidence, despite availing last opportunity, therefore, the trial Court has rightly closed his evidence.

I have gone through the impugned order and the same is found perfectly legal.

Accordingly, the petition is dismissed.

20.03.2018
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(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No