

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

CR No.1642 of 2018

Date of Decision: 22.03.2018

Atul Kumar

.....Petitioner

Vs.

Prem Nath and others

.....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present:- Mr.H.S.Gill, Advocate, for the petitioner.

RITU BAHRI, J. (ORAL)

The petitioner has come up in revision against the order dated 14.02.2018 (Annexure P-5) whereby, his application for recalling of order dated 11.12.2017 (Annexure P-3) of closing of evidence of plaintiff by order was dismissed.

A perusal of the order Annexure P-2 shows that on 29.11.2017, issues were framed and case was adjourned to 17.12.2017 for evidence of the plaintiff subject to last opportunity. On 15.12.2017, the case was taken up for the evidence of the plaintiff but the same was closed due to their non-availability and without giving any single opportunity to the plaintiff/petitioner.

In view of the above, the appeal is allowed and order dated 14.02.2018 (Annexure P-5) is set aside with one effective opportunity to the petitioner to appear before the Court for recording of his evidence without any costs.

**(RITU BAHRI)
JUDGE**

22.03.2018

anil

Whether speaking/reasoned Yes/No

Whether reportable Yes/No