

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

**Civil Revision No. 1749 of 2018 (O&M)**

**Date of Decision: March 16, 2018.**

M/s International Gas Agency Refrigeration

.....PETITIONER(s).

**VERSUS**

M/s Jagota Construction Company

.....RESPONDENT(s).

**CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA**

Present: Mr. Karan S. Gill, Advocate  
for the petitioner.

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**SURINDER GUPTA, J.(Oral)**

Learned counsel for the petitioner submits that though there was lapse on the part of the petitioner that he could not appear on 17.01.2018 when case was fixed for his cross-examination and costs imposed by the Court was also not paid but that lapse was not deliberate as wife of the petitioner/plaintiff was admitted in hospital on that day. The petitioner/plaintiff is a material witness and is yet to be cross-examined. He further submits that most of dates were sought from time to time to settle the matter through compromise and case was repeatedly sent to lok adalat. Due to this reason, the examination of the witnesses was delayed. He seeks one opportunity to conclude the entire evidence of the plaintiff, subject to payment of costs.

In view of submission of learned counsel for the petitioner, this revision petition is disposed of without notice to the respondent with

direction to Civil Judge (Jr. Division), Pathankot to give one more

opportunity to the revision petitioner/plaintiff to conclude his entire evidence on deposit of ₹5,000/- as costs with District Legal Services Authority, Pathankot within a period of two weeks. On deposit of costs, the trial Court will fix the case for entire remaining evidence of the plaintiff and in the event of evidence being not produced on that day, the evidence of the plaintiff shall be deemed as closed.

The order has been passed in the absence of respondent to avoid unnecessary delay and expenses. A copy of this order be conveyed to the respondent. In the event of respondent having any objection, it may file application to that effect. On receipt of the application, the same be listed for hearing.

**March 16, 2018.**  
*Jyoti-II*

**( SURINDER GUPTA )**  
**JUDGE**

***Whether speaking/reasoned:*** ***Yes/No***

***Whether Reportable:*** ***Yes/No***