

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

C.R. No.183 of 2018 (O&M)

Date of Decision.12.01.2018

Dalbir Singh

.....Petitioner

Vs

Balwinder Kaur

.....Respondent

CORAM:HON'BLE MR. JUSTICE AMIT RAWAL

Present: Mr. Akhilesh Vyas, Advocate
for the petitioner.

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AMIT RAWAL J.(ORAL)

The petitioner-plaintiff is aggrieved of the order dated 21.08.2017, whereby, evidence of the plaintiff has been closed and the order dated 12.12.2017 whereby the application moved for recalling the aforementioned order has also been dismissed.

Mr. Vyas, learned counsel for the petitioner submits that in case, one opportunity is granted, the petitioner will conclude the entire evidence as only the cross-examination of the plaintiff is left.

I have heard the counsel for the petitioner-plaintiff, appraised the paper book and of the view that no doubt, the petitioner-plaintiff was negligent in concluding the evidence, however, in order to advance justice and prevent miscarriage of justice, I deem it appropriate to grant one effective opportunity to the petitioner to conclude the evidence.

Keeping in view the aforementioned observations, the impugned orders are set aside and the petitioner-plaintiff shall conclude the evidence in accordance with law subject to payment of costs of ₹5,000/-

which shall be condition precedent. If the costs is not paid as directed, the orders passed already by the court below shall stand restored.

The impugned order is set aside and the revision petition is allowed dispensing with notice to the respondent in order to save time of the Court and defray the expenses of litigation.

(AMIT RAWAL)
JUDGE

January 12, 2018
Pankaj*

Whether reasoned/speaking	Yes
Whether reportable	No