

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CR No.1975 of 2018
Date of decision:23.03.2018

Lalita Grewal

... Petitioner

Vs.

Dr. Vinod Kumar Batra

... Respondent

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present:- Mr. Sanjeev Pandit, Advocate
for the petitioner.

Mr. Puneet Sharma, Advocate
for the caveator/respondent.

AMIT RAWAL J. (Oral)

The present revision petition is directed against the impugned order dated 07.02.2018 (Annexure P-3), whereby, evidence of the petitioner-defendant was closed by order.

Mr. Sanjeev Pandit, learned counsel appearing on behalf of the petitioner-defendant submitted that in case, one opportunity is granted, subject to any terms and conditions which this Court deems fit, the petitioner will conclude the entire evidence. He further submits that no prejudice would be caused to the respondent-plaintiff, who shall be compensated in terms of costs.

I have heard learned counsel for the petitioner-defendant and appraised the paper book.

No doubt, the petitioner-defendant had taken many adjournments to lead evidence and failed to do so, but I am of the view that the lis between the parties is required to be adjudicated on merits and not on technicalities. In order to render justice, I deem it appropriate, to grant one effective opportunity to the petitioner-defendant before the trial Court to conclude entire evidence, subject to payment of costs of ₹5,000/- to be paid to the respondent-plaintiff, which shall be a condition precedent. The petitioner-defendant would submit a list of the witnesses within a period of three days from today and obtain dasti summons for effecting service upon the witnesses, in accordance with law.

Accordingly, the revision petition stands allowed.

(AMIT RAWAL)
JUDGE

March 23, 2018
savita

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No