

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CR-2537-2018

Date of decision: 20.04.2018

Devender Ram

..... Petitioner

Versus

Sonu and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

PRESENT: Mr. Deepak Choudhary, Advocate for the petitioner.

RAMENDRA JAIN, J. (ORAL)

1. Through this revision under Article 227 of the Constitution of India, prayer has been made for setting aside order dated 08.03.2018 (Annexure P-1), whereby the evidence of plaintiff-petitioner was closed by Court order.

2. Learned counsel *inter alia* contends that the impugned order Annexure P-1 is erroneous in view of the fact that the petitioner had availed only **four** effective opportunities and not **five** as has been mentioned by the trial Court in the same. In the interest of justice, the plaintiff-petitioner may be afforded one effective opportunity to conclude his entire evidence, at his own responsibility.

3. This Court has given anxious consideration to the submissions made by learned counsel for the plaintiff-petitioner and is of the considered opinion that the plaintiff-petitioner should be granted one opportunity to conclude his entire evidence, at his own responsibility.

4. Therefore, in the interest of justice, equity and good conscience, without commenting upon the merits of the case, the instant

revision is allowed and the impugned order dated 08.03.2018 (Annexure P-1) is hereby set aside. The trial Court is directed to afford one effective opportunity to the petitioner to conclude his entire evidence, at his own responsibility, subject to payment of ₹ 2000/- as costs to be deposited with the District Legal Service Authority, Fatehabad.

5. The instant revision is allowed without issuing notice to the respondents with a view to impart justice expeditiously to the parties and to save the huge expenses which may be incurred by the respondents and also to avoid unnecessary delay in the adjudication of the matter. Still, if dissatisfied, the respondents may move this Court for recalling this order within a period of six weeks from today.

April 20, 2018
rishu

(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No