

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

CR No.3020 of 2018
Date of decision: 16.05.2018

Bhagat Singh

... Petitioner

Versus

Mehar Chand

... Respondent

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. Sudhir Aggarwal, Advocate for the petitioner.
Mr. Ashish Gupta, Advocate for the respondent.

ARUN PALLI, J. (Oral)

The petitioner-plaintiff is in revision against the order dated 24.04.2018 (Annexure P3), passed by the learned Civil Judge (Jr. Divn.) Gurugram, vide which his application for summoning four other witnesses has since been declined.

Notice of this petition was issued to the respondent and Mr. Ashish Gupta, Advocate has caused appearance on his behalf.

Ex facie, the petitioner has been remiss and negligent in pursuing his cause, but it is also true that in the event he is not granted one last opportunity to lead and conclude his entire evidence, he shall suffer an incalculable loss. In any event, being a plaintiff in the suit he does not stand to gain by delaying his cause.

That being so, and to secure the ends of justice, the order dated 24.04.2018 (Annexure P3) is set aside, and the revision petition is disposed of in the following terms:

i) The petitioner-plaintiff shall be granted two effective opportunities to lead and conclude his entire evidence, with the assistance of

the Court, on the dates that shall be specified by the trial Court in this regard;

ii) In the event of default or if the plaintiff fails to lead his evidence on the designated dates, his evidence shall be deemed to have been closed, and the matter shall not be adjourned for any reason and at any cost;

iii) This, however, shall be subject to payment of costs of Rs. 25,000/- to the respondents, that shall be a condition precedent.

Parties to appear through their respective counsel before the trial court on the date already fixed.

(Arun Palli)
Judge

16.05.2018
Rajan

Whether speaking / reasoned:	YES
Whether Reportable:	NO