

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

CM-8878-CII-2018;
CR No.367 of 2018
Date of decision: 07.05.2018

Shital Singh

... Petitioner

Versus

Rama Rani and others

... Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. Abhivadya Sood, Advocate for the applicant-petitioner.
Mr. Balwant Singh Guliani, Advocate for the respondents.

ARUN PALLI, J. (Oral)

The petitioner, who happens to be the plaintiff, is aggrieved by an order dated 18.12.2017 (Annexure P1), rendered by the Additional Civil Judge (Sr. Divn.) Samana, vide which his evidence has since been closed.

Ex facie, the petitioner has been extremely negligent and remiss in pursuing his cause, but it is equally true that in the event he is not granted one last opportunity to appear for the purpose of his cross-examination, that has partially been recorded by the Local Commissioner appointed by the Court, he shall suffer an incalculable loss.

That being so, the order dated 18.12.2017 (Annexure P1) is set aside, and the revision petition is disposed of in the following terms:

i) The petitioner shall appear on the date specified by the trial Court for the purpose of cross-examination;

ii) In the event of default, the matter shall not be adjourned for any reason and at any cost, and his evidence shall be deemed to have been closed;

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 i.e. 14.05.2018.

07.05.2018
Rajan

(Arun Palli)
Judge

Whether speaking / reasoned:
Whether Reportable:

YES
NO