

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR No.3710 of 2018
Date of Decision : 30.05.2018

Dera Hari Dass through Mohatmim, Parminder Dass Chela and another

.....Petitioners

Versus

Gram Panchayat, Village Bhamipura and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr.Karan Gupta, Advocate for the petitioners.

ARUN PALLI, J. (Oral)

The petitioners/plaintiffs are aggrieved by an order dated 7.3.2018 (Annexure P-1), rendered by the Civil Judge (Jr. Divn.), Jagraon, vide which their evidence has since been closed.

Ex facie, the petitioners have been remiss and negligent in pursuing their cause, as despite repeated opportunities they failed to lead and conclude their entire evidence. However, it shall be equally true that in the event they are not granted one last opportunity to conclude their evidence they might suffer an incalculable loss. Particularly, the petitioners being the plaintiffs in the suit do not stand to gain anything by delaying their own cause. It is urged that the petitioners have already examined three witnesses i.e. PW1, PW2 and PW4, and they only wish to examine two more witnesses.

That being so, the impugned order dated 7.3.2018, is set aside without issuing any formal notice to the respondents to avert any further

delay and the expenses that they shall have to incur to defend these proceedings. Accordingly, the revision petition is disposed of, in the following terms:-

- (a) The petitioners shall be granted one last opportunity to lead and conclude their entire evidence on the date that shall be specified by the trial Court in this regard.
- (b) In the event of default, the matter shall not be adjourned at any cost and the evidence of the petitioners shall be deemed to have been closed.
- (c) This however, shall be subject to Rs.20,000/- as cost which shall be a condition precedent.

30.05.2018

*Manoj Bhutani***(ARUN PALLI)
JUDGE**

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No