

IN THE PUNJAB & HARYANA HIGH COURT AT CHANDIGARH

CR-5130-2018

Date of decision : 09.08.2018

Cantonment Board, Ferozepur Cantt.

... Petitioner

Versus

Surinder Pal Singh Sooch and another

... Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr.Sandeep Khunger, Advocate
for the petitioner.

AMOL RATTAN SINGH, J.(ORAL)

Learned counsel for the petitioner submits that due to the fact that undoubtedly the petitioner-Cantonment Board could not produce its lone witness, on the last opportunity granted vide the order dated 02.02.2018, the impugned order was passed on 27.03.2018.

He however submits that a single opportunity be granted to the petitioner to lead its evidence in the form of the sole witness of the plaintiff.

On query as to the stage of the proceedings before the trial Court, the impugned order being more than 4 months old now, he submits that though evidence for the defendants has also been closed by the trial Court, they too have filed an application for recalling the said order.

That being so, this petition is allowed even without issuing notice to the respondents at this stage, the petitioner in any case being the Cantonment Board, Ferozepur Cantt., with one opportunity granted to the petitioner to examine its witness, after which the defendants would be at liberty to lead their own defence evidence again. Costs of Rs.10,000/- shall

be paid by the petitioner, out of which Rs.5000/- shall be paid to the respondents-defendants and Rs.5000/- to the District Legal Services Authority, Ferozepur.

(AMOL RATTAN SINGH)
JUDGE

August 09, 2018.
D.K./dinesh

Whether speaking / reasoned	Yes/No
Whether reportable	Yes/No