

IN THE PUNJAB & HARYANA HIGH COURT AT CHANDIGARH

CR-5275-2018

Date of decision : 16.08.2018

Kuljinder Singh

... Petitioner

Versus

Sarwan Singh and another

... Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr.Paramjit Batta, Advocate
for the petitioner.

AMOL RATTAN SINGH, J.(ORAL)

Learned counsel for the petitioner submits that though the impugned order dated 18.07.2018 depicts that after issues were framed on 07.03.2017, sufficient opportunities were availed by the petitioner-plaintiff to conclude his evidence, however a perusal of the interim orders passed by that Court from July 10, 2017 till July 18, 2018, would show that for the first time the case was adjourned on 10.07.2017 to 13.11.2017 for evidence of the plaintiff, with the case file actually taken up on 10.11.2017, as the Presiding Officer was to be on casual leave on 13.11.2017. On that date, it was adjourned to 10.04.2018 on which date of course the petitioner did not examine any person by way of evidence.

The case was then adjourned to 16.05.2018, on which date again it was not taken up but was taken up on 17.05.2018 when it was adjourned to July 02, 2018 and again it not having been taken up on that date, it was taken up on July 09, 2018, and adjourned to July 11, 2018, on which date and the next, one PW was examined, with his cross-examination

deferred on request of the opposite counsel and eventually on 18.07.2018 the evidence of the plaintiff was closed.

In view of the aforesaid, without even issuing notice to the respondents at this stage, this petition is allowed subject to payment of Rs.3000/- as costs to the respondents-defendants, with one effective opportunity granted to the petitioner to examine the remaining witnesses.

(AMOL RATTAN SINGH)
JUDGE

August 16, 2018.
D.K.

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