

CR No. 5320 of 2018

Date of Decision: 21.08.2018

Amarjeet Singh

.....Petitioner

Versus

Dalbir Singh and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL**Present:** Mr. Vijay Lath, Advocate
for the petitioner.**DEEPAK SIBAL, J. (ORAL)**

The present petition is directed against the order dated 10.08.2018 passed by Civil Judge (Junior Division), Rupnagar (for short the Trial Court) through which petitioner's evidence has been closed.

A perusal of interim orders passed by the Trial Court shows that even after grant of as many as 15 effective opportunities the petitioner did not lead his entire evidence. On two of such dates DW-1 Amarjeet Singh, who is the petitioner and has already been examined-in-chief was present in Court but he failed to subject himself for cross examination on the ground that the counsel was not present.

Learned counsel for the petitioner prays for a mercy chance to permit the petitioner to lead his entire evidence.

It is true that more than adequate number of opportunities have already been granted to the petitioner for leading his evidence and there is hardly any justification to grant any more opportunities to him. However, in the interest of justice and for the reason that his defence may not be scuttled at the stage of trial itself as also keeping in view the principles of natural justice, subject to payment of ₹50,000/- as costs to be paid to the

respondents, the impugned order is set aside and 15 days from today are

granted to the petitioner to conclude his entire evidence.

It is made clear that no further extension of time would be granted to the petitioner for leading of his evidence.

The petition is allowed in the above terms.

If the respondents are aggrieved by the instant order, they are at liberty to approach this Court through an appropriate application.

(DEEPAK SIBAL)
JUDGE

21.08.2018
sandeep

Whether Speaking/Reportable : Yes/No

Whether Reportable : Yes/No