

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

**Civil Revision No.644 of 2018 (O&M)
Date of Order: 01.02.2018**

Ritesh Yadav

..Petitioner

Versus

Jaspinder Kaur and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Adarsh Jain, Advocate,
for the petitioner

ANIL KSHETARPAL, J(Oral)

Plaintiff-petitioner is in revision petition against the order, closing the evidence of the plaintiff.

Learned counsel for the plaintiff-petitioner has taken me through the various daily orders passed by the learned trial Court and has submitted that the plaintiff has been making sincere efforts to summon the record and examine attesting witnesses of the Will and the General Power of Attorney.

Learned counsel for the petitioner has also drawn attention of the Court to the applications filed by the plaintiff for summoning the aforesaid witnesses. He submits that no doubt several opportunities have been granted however the plaintiff has been making sincere efforts to secure the presence of the witnesses, hence, plaintiff is not at fault.

Taking into consideration these facts, the order under challenge is set aside. The Civil Court is directed to grant two more effective opportunities to the plaintiff to conclude his entire evidence. This shall be

subject to payment of costs of Rs.5000/-. The opportunities shall be granted within a period of two months. If the court assistance in summoning the witnesses is prayed for, the same will be granted by the Court in accordance with the procedure prescribed.

The revision petition is disposed of accordingly.

Respondents shall be at liberty to move an application for recall, if aggrieved.

February 01, 2018
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(ANIL KSHETARPAL)
JUDGE

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