

In the High Court of Punjab and Haryana at Chandigarh

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**CR No. 6619 of 2017 (O&M)
Date of decision: 27.11.2018**

GURBHAG SINGH

.....petitioner

Versus

RAMESHWAR SINGH

.....respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr.Arun Jain, Sr. Advocate with
Mr.Dhruv Mittal, Advocate,
Mr.B.M.Vinayak, Advocate and
Ms.Avtar Kaur, Advocate,
for the petitioner.

Ms.Sarika Gupta, Advocate
for the respondent.

RAJ MOHAN SINGH, J.(oral)

Petitioner has assailed the order dated 12.9.2017 passed by Civil Judge (Jr.Divn.) Mohali, vide which three applications, filed by the petitioner/ defendant in a suit titled Rameshwar Singh vs. Gurbhag Singh, were dismissed.

Notice of motion was issued on 6.10.2017 and passing of final order was stayed.

During the course of arguments, it came to fore that after closing of evidence of the plaintiff when the evidence of the defendant was in progress, statement of PW-6 was recorded

without there being any acceptance of application for additional evidence. Though PW-6 was examined fully, defendant has a right to lead evidence in rebuttal to the evidence of PW-6 for which learned counsel for the respondent has no serious objection. Even otherwise, defendant has a right to lead evidence including rebuttal to the evidence of PW-6.

In view of stand taken by the respondent, this revision petition is allowed. Impugned order dated 12.9.2017 is set aside. Normal consequences to follow.

November 27, 2018
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(RAJ MOHAN SINGH)
JUDGE

Whether reasoned/Speaking

Yes/No

Whether reportable

Yes/No