

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CR No.7709 of 2017

Date of Decision: 17.02.2018

Ravinder Kaur Sidhu

... Petitioner

Versus

Harbinder Singh Sandhu & ors.

... Respondents

CORAM:- HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: Mr. Binderjit Singh, Advocate,
for the petitioner.

Mr. Shekhar Verma, Advocate,
for respondent No.1.

None for respondent No.3.

RAMENDRA JAIN, J.(Oral)

Though there is a written request for adjournment on behalf respondent No.3, but learned counsel for the petitioner and respondent No.1 submit that respondent No.3 has no interest in the instant case and they are ready to argue the matter.

Heard.

Through the instant revision petition filed under Article 227 of the Constitution of India, challenge has been laid to the order dated 15.09.2017 (Annexure P-8) of the trial Court closing the evidence of the petitioner.

In nutshell, when the petitioner could not conclude her evidence, despite imposition of costs and last opportunity, the trial Court closed her evidence vide order dated 15.09.2017(Annexure P-8).

Learned counsel for the petitioner contends that the trial Court has illegally closed the evidence of the petitioner by granting her only two opportunities to prove her case, which are insufficient for effective

adjudication of the real controversy between the parties.

The opposite counsel has vehemently opposed the submission made by learned counsel for the petitioner submitting that evidence of the petitioner was closed after giving her sufficient opportunities. Therefore, the impugned order closing her evidence is perfectly legal.

Having given thoughtful consideration to the submissions made by both the sides, in the interest of justice, the petitioner is granted two more opportunities to adduce her entire evidence at her own responsibility, without any assistance of the Court, except issuance and handing over dasti summons to her, subject to payment of costs of ₹50,000/-, 50% of which shall be deposited with the State Legal Services Authority, Chandigarh and the remaining shall be paid to the respondents.

It is made clear that if the costs is not paid, this order shall be treated to have been cancelled.

Disposed of accordingly.

17.02.2018
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(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No