

In the High Court of Punjab and Haryana at Chandigarh

.....

Civil Revision No.9176 of 2017 (O&M)

.....

Date of decision:22.5.2018

Davinder Pal Singh and another

.....Petitioners

v.

Brij Bhushan and others

.....Respondents

....

Coram: Hon'ble Mr. Justice Inderjit Singh

.....

Present: Mr. Namit Gautam, Advocate for the petitioners.

Mr. C.M. Munjal, Advocate for the respondents.

.....

Inderjit Singh, J.

This civil revision petition has been filed under Article 227 of the Constitution of India for setting aside the impugned order dated 6.12.2017 (Annexure-P.13) passed by the learned Civil Judge (Junior Division), Ludhiana. It has further been prayed for setting aside the impugned order dated 19.9.2017 (Annexure-P.9) passed by learned Civil Judge (Junior Division), Ludhiana, whereby the evidence of the objectors was closed by the order of the Court.

Notice of motion has been issued in this case.

Mr. C.M. Munjal, learned Advocate has put in appearance on behalf of the respondents and contested this civil revision petition.

I have heard learned counsel for the parties and have gone

through the record.

From the record, I find that the learned Civil Judge (Junior Division), Ludhiana, vide impugned order dated 19.9.2017 (Annexure-P.9) observed that OW-7 Dimple Kumar is present and cross-examined. OW-12 Tajinder Pal Singh is also present and examined in chief by way of affidavit. His cross-examination is deferred at the request of learned counsel for Decree Holders. Perusal of the case file shows that 23 effective opportunities were given to the objectors since 23.7.2015 and period of more than 2 years has elapsed. Hence, further evidence of the objectors is hereby closed by order of the Court.

At the time of arguments, learned counsel for the respondents/decree holders submitted that he has no objection if one effective opportunity is granted to the petitioners/objectors to complete their evidence subject to payment of costs.

Learned counsel for the petitioners/objectors also submitted that one effective opportunity be granted to the petitioners/objectors subject to payment of costs at their own responsibility.

Keeping in view the above facts and circumstances, this civil revision petition is allowed and one effective opportunity is granted to the petitioners/objectors to complete the evidence at their own responsibility subject to payment of costs of ₹3,000/- payable to the respondents/decree holders.

May 22, 2018.

(Inderjit Singh)
Judge

hsp

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