

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (227) No. 63 of 2019**

Gaurav Kumar Dubey, S/o. Shri Ravindranath Dubey, Aged about 35 years,
R/o. Ward No. 8, Dubepara, Ramanujganj, Post, P.S. & Tahsil –
Ramanujganj, District – Balrampur (C.G.)

----Petitioner/Plaintiff

Versus

1. S.P. Singh, S/o. Late Markndey Singh
2. Ankit Singh, S/o. S.P.Singh.

Both are authorized dealer of Manatek Electronics Private Limited, Resident
of P-9 Sukaliya, Near Community Hall Indore (M. P.) 452010.

---- Respondents/defendants

For Petitioner : Mr. A.K. Prasad, Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal
Order On Board

28/01/2019

(1) By the impugned order dated 25.07.2018, plaintiff's opportunity to lead evidence has been closed.

(2) Learned counsel appearing for the petitioner/plaintiffs would submit that the trial Court has closed the plaintiffs' opportunity to lead evidence merely on the ground that earlier ten adjournments have already been granted to the plaintiffs to adduce evidence whereas earlier adjournments were based on valid and sufficient grounds and, therefore, that cannot be made basis for closing opportunity of plaintiff to lead evidence as on 25.07.2018, there was sufficient cause for adjournment.

- (3) I have heard learned counsel appearing for the petitioner.
- (4) Considering the fact that four witnesses have already been examined on behalf of the petitioner and earlier adjournments sought by the plaintiffs were based on valid and sufficient grounds, the plaintiff is directed to examine his one witness namely Laxmi Kant Patel on the next date of hearing i.e. 18th February, 2019 subject to payment of cost of Rs.2,500/- to the defendants No. 1 & 2.
- (5) Accordingly, the writ petition is disposed off with above-stated observation reserving liberty in favour of respondents to file application for modification, if any.
- (6) Copy of the order be sent to the trial Court through concerned District Judge for compliance and needful.

Sd/-

(Sanjay K. Agrawal)
Judge

D/-

