

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

CR No.3474 of 2017

Date of Decision: 04.09.2019

Sultan Singh

..... Petitioner

Versus

Subhash

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

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

Mr. Govind Chauhan, Advocate
for the respondent.

SUDIP AHLUWALIA J. (ORAL)

The substance of the background behind this revision petition has already been noted by the Coordinate Bench in the earlier order dated 22.05.2017.

2. Admittedly, the contesting parties are real brothers.
3. Considering the overall circumstances, the present revision petition is allowed after setting aside the impugned order dated 01.05.2017 (Annexure P-5) and granting one opportunity to the petitioner to examine his surviving brother namely, Surjeet Singh, since his father Nar Singh had died just three days after his earlier application for permission to examine his father had been dismissed, and his mother has since expired during the pendency of the present revision petition.
4. It is, however, made clear that the opportunity now granted to the petitioner is under special circumstances considering that more than

sufficient opportunities had earlier been granted to him to complete his evidence.

5. Further, he would be liable to pay costs of Rs.2500/- in favour of the respondent-plaintiff.

(SUDIP AHLUWALIA)
JUDGE

September 04, 2019
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No