

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

208

CR-7537-2016 (O&M)

Date of Decision:22.02.2019

Jagpal Singh and others

....Petitioners

Versus

Munish Singla

....Respondent

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present: Mr. Tarunveer Vashisth, Advocate for the petitioners.

AMIT RAWAL, J. (Oral):-

The present revision petition is directed against the impugned order dated 18.10.2016 (Annexure P-1), passed by learned Civil Judge (Junior Division), Patiala, preferred by the petitioner-defendant whereby, two applications seeking dismissal of the suit on account of non-payment of the cost imposed by the Court on the plaintiff and for not leading the evidence, has been dismissed.

Mr. Tarunveer Vashisth , counsel appearing on behalf of the petitioners submitted that as per proviso to Order 17 Rule 2 envisages that if a person took the sufficient opportunity and did not lead the evidence, the evidence is liable to be closed. Zimni orders annexed with the revision petition shows that the plaintiff had taken so many opportunities, in such circumstances, the suit was liable to be dismissed.

The above said averment is not sustainable and by filing the

revision petition, petitioner-defendant has obtained interim stay, whereby, further proceedings of the trial Court have been stayed.

No ground for interference is made out and order cannot be suffering from infirmity and illegality.

Accordingly, the present revision petition is dismissed.

22.02.2019
anju rani

(AMIT RAWAL)
JUDGE

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