

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

**CR No.1532 of 2019 (O&M)
Date of Decision : 08.05.2019**

Sukhraj Rani

Petitioner

Versus

Kirpal Singh and others

Respondents

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Rajneesh K. Gupta, Advocate
for the petitioner.

Mr. Vishal Munjal, Advocate
for respondents No.1 to 5.

AVNEESH JHINGAN, J (Oral)

Aggrieved of the order dated 04.09.2018 passed by the Civil Judge (Junior Division), Pathankot [hereinafter referred to as 'the Civil Court'] closing the evidence of the petitioner/plaintiff [hereinafter referred to as 'petitioner'] and order dated 29.11.2018 passed by the Civil Court dismissing the application for granting opportunity to complete the evidence, the present Civil Revision Petition has been filed.

Learned counsel for the petitioner contends that the petitioner is an old lady and the only witnesses to be examined is son of the petitioner and an official witness to prove the sale deed. He further contends that two opportunities be provided to him to petitioner to produce witnesses on her own cost and

responsibility.

Learned counsel for the respondents argues that even the evidence of the defendants is nearing completion and last opportunity has been provided to the defendants to close their evidence. He further states that if an opportunity is provided to the petitioner at this stage, it would affect the case of the defendants as it is last opportunity for them to close the evidence.

Considering the facts of the case, age of the petitioner and in the interest of justice, the impugned orders are set aside. The petitioner is provided two opportunities to produce the witnesses on her own cost and responsibility. The opportunities are provided to the petitioner subject to payment of cost of ₹10,000/-, to be paid in favour of the Poor Patient Welfare Fund of Post Graduate Institute of Medical Education and Research (PGIMER), Chandigarh.

It is further clarified that after the evidence of petitioner is concluded, the defendants would also be provided adequate opportunity to conclude the evidence.

The Civil Revision Petition is disposed of accordingly.

[AVNEESH JHINGAN]
JUDGE

May 08, 2019

pankaj baweja

1. Whether speaking/ reasoned	:	Yes
2. Whether reportable	:	No