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

CR No. 1520 of 2019

Date of Decision: 05.03.2019

Kanwaljit Singh

-Petitioner

Vs

Randeep Kaur and others

-Respondents

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Vivek Arora, Advocate,
for the petitioner.

RAJ MOHAN SINGH, J. (ORAL)

Petitioner has assailed the order dated 29.01.2019 passed by Civil Judge (Senior Division), Ludhiana vide which evidence of the petitioner/defendant No.2 was closed by order of the Court.

Perusal of the record would show that for summoning of defendants witnesses by process of the Court, indulgence was granted by the trial Court by directing the defendants to deposit an amount of Rs.800/- vide order dated 09.04.2018. Petitioner has already availed the benefit of said order. Thereafter, the case was adjourned and the defendants could not conclude their evidence despite last opportunity granted to them.

Order dated 15.01.2019 is suggestive of the fact that the case was adjourned to 22.02.2019 for evidence of the defendants with last opportunity. Evidence of the defendants ultimately came to be closed on 29.01.2019 by observing that despite availing 27/28 opportunities, defendants could not conclude their evidence despite last opportunities granted by the Court.

In view of number of opportunities availed by the defendant No.2-petitioner including order dated 09.04.2018 vide which indulgence was granted by the trial Court and the defendant No.2-petitioner has already availed the concession, I see no justification to interfere in the impugned order.

This revision petition is accordingly, dismissed.

05.03.2019
Jyoti Yadav

(RAJ MOHAN SINGH)
JUDGE

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