

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

C.R. No.2201 of 2019

Decided on : December 13th, 2019

Tehal Singh (deceased) through LRs.

..... Petitioner(s)

Versus

Malwinder Singh and others

..... Respondent (s)

CORAM : HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present : Mr. Nandan Jindal, Advocate
for the petitioner(s).

Mr. Sherry K. Singla, Advocate
for respondents.

SUDIP AHLUWALIA, J. (Oral)

Mr. Sherry K. Singla, Advocate has put in appearance on behalf
of the respondents.

Learned counsel for the petitioner(s) submits that the matter was
fixed for defence evidence, which has not yet commenced, and the same is
now fixed for the same purpose in the trial court on 13.01.2020. He further
submits that if granted an opportunity, the petitioner would be completing his
entire evidence on two effective dates and will also pay appropriate costs for
the delay of proceedings.

After hearing both the sides, the revision is disposed off by
setting aside the impugned order dated 29.10.2018 passed by Civil Judge (Jr.
Divn.) Malkerkota with a liberty to the petitioner-plaintiff to complete his
evidence on the next date already fixed before the trial court i.e. 13.01.2020,
and if not practicable to do so, the same shall be completed on any deferred

date convenient to the said court. In addition, a cost of Rs.5,000/- shall be payable to the respondents/defendants as a condition precedent, and in case the evidence from the petitioner's side is not completed on a single effective date, additional cost of like amount shall be payable for the next adjournment.

December 13th, 2019
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(SUDIP AHLUWALIA)
JUDGE

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No