

GTB Automotives System Pvt. Ltd. and another

.....Petitioners

Versus

Narinder Pal Singh and another

.....Respondents

CORAM: HON'BLE MS. JUSTICE NIRMALJIT KAURPresent: Mr. Onkar Rai, Advocate
for the petitioners.Mr. Amrik Singh, Advocate
for the respondents.**NIRMALJIT KAUR, J. (ORAL)**

The present revision petition has been filed for setting aside the order dated 08.04.2019, passed by the Civil Judge (Junior Division), Mohali (for short, the trial Court), vide which, the evidence of the petitioners was closed by order.

A perusal of the said order shows that number of effective opportunities were granted before closing the evidence. Even otherwise, the petitioners were not in a position to show as to what evidence is to be led by Surjit Kaur Sandhu, sought to be produced as witness.

Notice was issued. Thereafter, on 21.05.2019, the matter was heard at length and after hearing, time was sought by learned counsel for the petitioners to seek instructions as to whether the witness now sought to be examined, i.e. Surjit Kaur Sandhu, was in a position to bring the original record to fortify the claim of the company as no list of witnesses had been filed even after the date of passing of the impugned order.

Thereafter, on 28.05.2019, learned counsel for the petitioners

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submitted that the original documents have since been found and witness now sought to be examined, i.e. Surjit Kaur Sandhu, would be in a position to fortify her claim. Thereafter, a direction was issued to learned counsel for the petitioners to produce the said record in Court. However, on 31.05.2019, the documents that were alleged to be found and were directed to be produced to determine the relevance of the documents, were still not produced and an adjournment was sought on the ground that the son of the arguing counsel was not well but while granting the adjournment, it was observed that “if the documents are not produced to try and show their relevance, this petition shall be deemed to have been dismissed-in-default, with no further order required to be passed in that regard.”

On 11.07.2019, in spite of the above observations of this Court, a written request for adjournment was made, which was opposed by learned counsel for the respondent. Although, no adjournment was required to be given and the written request was supposed to have been rejected by this Court as no documents had been placed on record in terms of order dated 31.05.2019 but still in the interest of justice, the matter was listed for today for giving another chance to the petitioners.

Today, learned counsel for the petitioners prays for more time to place the said documents on record, which cannot be granted in view of the order dated 31.05.2019.

Dismissed accordingly.

(NIRMALJIT KAUR)
JUDGE

12.07.2019
sandeep