

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR No. 3413 of 2019

Date of Decision: 23.05.2019

Santosh

.....Petitioner

Vs.

Pawan Kumar and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Amit Jain, Advocate,
for the petitioner.

AMOL RATTAN SINGH, J. (ORAL)

By this petition, the petitioner challenges the order passed by the learned Civil Judge (Junior Division), Faridabad, dated 10.05.2019, by which the petitioners' evidence has been closed, with the matter adjourned to 04.07.2019 for "rebuttal evidence" if any, and for arguments.

Learned counsel for the petitioner submits that though undoubtedly the petitioner had been given numerous opportunities to lead evidence, which she did not, yet there being only two witnesses to be examined by her including herself, and obviously no further progress having been made in the trial after the impugned order was passed, she may be given two opportunities to conclude evidence.

That being so as is obvious from a perusal of the impugned order itself, subject to the petitioner paying Rs. 5,000/- as costs to respondent no. 1-plaintiff, this petition is allowed and two opportunities to conclude the evidence of the petitioner shall be granted to her, with it made clear that not more than two fair

opportunities shall be given to her to do so.

The impugned order is kept in abeyance till such date that two opportunities are granted.

However, it is made clear that if the petitioner does not conclude her evidence within those two opportunities to be granted by the trial Court, the impugned order would become effective thereafter; but of course if she concludes her evidence within such time, it would be deemed to have been set aside.

May 23, 2019
nitin/dinesh

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes
Yes