

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

**Civil Revision No.4105 of 2019
Date of decision: 08.07.2019**

Suresh and others

.....Petitioners

Versus

Ashok Kumar and another

.....Respondents

CORAM:HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Priyanka, Advocate,
for Mr. Abhimanyu Singh, Advocate,
for the petitioners.

Ritu Bahri, J.

Challenge in this petition is to the order dated 31.05.2019 (Annexure P-3) passed by the Civil Judge (Junior Division), Bhiwani, whereby evidence of defendants-petitioners has been closed by order.

Learned counsel for defendant-petitioners states that evidence of plaintiff-respondents was concluded on 28.02.2019. Thereafter, case was adjourned to 04.04.2019, 04.05.2019, 17.05.2019 and 31.05.2019 for evidence of defendants. However, on 31.05.2019, evidence of defendant-petitioners has been closed by order. Learned counsel further states that adequate opportunity has not been provided to the defendants to conclude their evidence. A perusal of the orders (Annexure P-2 Colly.) shows that defendant-petitioners had availed four effective opportunities, but they had

failed to conclude their evidence.

However, in the given circumstances of the case, to impart complete justice to the parties, it would be appropriate, if adequate opportunity is provided to the parties to lead their evidence.

Accordingly, the impugned order dated 31.05.2019 (Annexure P-3) is set aside and trial Court is directed to provide two effective opportunities to defendants-petitioners to conclude their evidence, subject to costs of Rs.5000/- to be deposited with the District Legal Services Authority, Bhiwani.

Allowed accordingly.

(RITU BAHRI)
JUDGE

08.07.2019
ajp

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No