

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

CR No.4948 of 2019

Date of decision: 21.08.2019

Rajinder Singh

...Petitioner

Versus

Avneet Kaur and others

...Respondents

CORAM:HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Pushpinder Kaushal, Advocate,
for the petitioner.

Ritu Bahri, J.

Challenge in this petition is to the order dated 11.07.2019 (Annexure P-10) passed by the Civil Judge (Senior Division), Mohali, whereby evidence of plaintiff-petitioner has been closed by order.

Plaintiff-petitioner has filed a suit for declaration against defendants-respondents on 29.03.2017. After filing of the written statement, issues were framed on 28.02.2018. Learned counsel for the petitioner refers to the application dated 23.04.2018 (Annexure P-12) to show that diet money for summoning three witnesses i.e. concerned clerk/official from GMADA, Bhupinder Singh and Sukhwinder Singh, had been deposited by the petitioner before the trial Court. When evidence of the plaintiff was closed, witnesses namely Bhupinder Singh and Sukhwinder Singh were left to be examined. It was not a case that petitioner has taken unnecessary adjournments after 28.02.2018.

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 11.07.2019 (Annexure P-10) is set aside and trial Court is directed to provide one effective opportunity to plaintiff-petitioner to examine two witnesses namely Bhupinder Singh & Sukhwinder Singh and conclude his evidence, subject to costs of Rs.5000/- to be deposited with the District Legal Services Authority, S.A.S. Nagar, Mohali.

Allowed accordingly.

21.08.2019
ajp

(RITU BAHRI)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No