

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

CR No.5842 of 2019

Date of decision: 17.09.2019

Meena Rani and another

...Petitioners

Versus

Harbhajan Singh

...Respondent

CORAM:HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Bhupinder Kumar Gupta, Advocate,
for the petitioners.

Ritu Bahri, J.

Challenge in this petition is to the order dated 01.05.2019 (Annexure P-3) passed by the Civil Judge (Junior Division), Hoshiarpur, whereby evidence of defendant-petitioners has been closed by order and order dated 18.05.2019, whereby application filed by defendant-petitioners under Section 151 CPC for recalling the aforesaid order, has been dismissed.

Plaintiff-respondent (Harbhajan Singh) filed a suit for recovery of Rs.1,00,000/- against the defendants-petitioners on 01.12.2017 (Annexure P-1). After framing of issues, evidence of plaintiff-respondent was closed on 09.01.2019. Thereafter, vide impugned order dated 01.05.2019 (Annexure P-3), evidence of defendants-petitioners was closed by order and the case was adjourned to 18.05.2019 for rebuttal evidence. On 18.05.2019, defendants-petitioners moved an application for recalling of the aforesaid

order, which was dismissed on the same date. Learned counsel for the

petitioners (defendants) states that adequate opportunities have not been given to the defendants to conclude their evidence.

In the given circumstances of the case, to impart complete justice to the parties and also to avoid deprivation of full opportunity to the petitioners (defendants), this Court deems it appropriate to provide some time to the petitioners (defendants) to conclude their evidence.

In view of the above, impugned orders dated 01.05.2019 (Annexure P-3) & 18.05.2019 (Annexure P-5) are set aside and trial Court is directed to provide two effective opportunities to the defendants-petitioners to conclude their evidence.

Allowed accordingly.

17.09.2019
ajp

(RITU BAHRI)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No