

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

CR No.5900 of 2019

Date of decision: 19.09.2019

Neeru Garg

...Petitioner

Versus

Improvement Trust, Kotkapura and others

...Respondents

CORAM:HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Surinder Garg, Advocate,
for the petitioner.

Mr. Ashok Kumar Singla, Sr. DAG, Punjab.

Ritu Bahri, J.

Challenge in this petition is to the order dated 02.08.2019 passed by the Civil Judge (Junior Division), Faridkot, whereby evidence of plaintiff-petitioner has been closed by order.

Plaintiff-petitioner has filed a suit (Annexure P-1) for permanent injunction restraining defendant-respondent Nos.1 to 7 from deviating on their own from the sanctioned scheme, which has been duly sanctioned by Govt. of Punjab, Local Bodies, vide notification dated 14.12.1975. After framing of issues, plaintiff-petitioner availed 10 opportunities to conclude her evidence. Ultimately, vide impugned order dated 02.08.2019, evidence of plaintiff-petitioner has been closed by order.

Learned counsel for the petitioner states that one witness namely Satinder Pal Singh (PW-1) was examined on 17.05.2019. Thereafter, two last opportunities were granted to the plaintiff, but she could not conclude

her evidence. Learned counsel prays that one effective opportunity may be

provided to the plaintiff to examine two witnesses i.e. plaintiff herself and one Chhinderpal Singh from the office of Improvement Trust, in order to conclude her evidence.

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 02.08.2019 is set aside and trial Court is directed to provide one effective opportunity to plaintiff-petitioner to examine two witnesses i.e. plaintiff herself and Chhinderpal Singh from the office of Improvement Trust in order to conclude her evidence, subject to costs of Rs.5000/- to be deposited with the District Legal Services Authority, Faridkot.

Allowed accordingly.

19.09.2019
ajp

(RITU BAHRI)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No