

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

**CR No.6279 of 2019(O&M)
Date of Decision: 03.10.2019**

Prem Singh deceased through his LRsPetitioners

Versus

Gram Panchayat Village BihakaRespondent

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present:Mr. Rakesh Gupta, Advocate
for the petitioners.

RAJ MOHAN SINGH, J.

[1]. Petitioner through his LRs has preferred this revision petition against the order dated 14.08.2019 passed by Additional Civil Judge (Senior Division), Sohna, vide which evidence of the petitioner was closed by order of the Court.

[2]. A suit for permanent injunction was filed by the plaintiff in the year 2016. On 17.07.2017, issues were framed by the trial Court. 25.09.2017 was the date fixed for evidence of the plaintiff. On 25.09.2017, no PW was present and the case was adjourned to 16.10.2017 for plaintiff evidence. Thereafter, the

case was adjourned on number of occasions for the same purpose. It was only on 20.12.2017, PW 1 Ravinder was present and tendered his affidavit Ex.PW1/A along with documents Exs.P1 to P4 in examination-in-chief and his cross-examination was deferred at the instance of learned counsel for the defendant and the case was adjourned to 16.04.2018 for cross-examination of PW 1 and for remaining plaintiff evidence. Thereafter, number of effective opportunities were availed by the plaintiff to produce his evidence, but of no avail. Even costs of Rs.1000/- was also imposed upon the plaintiffs on 20.05.2019. On 31.07.2019, cross-examination of PW 1 Ravinder was completed, but no other plaintiff evidence was present and the case was further adjourned to 14.08.2019 for remaining evidence of the plaintiff subject to last opportunity at own responsibility. On 14.08.2019 also no PW was present and the impugned order came to be passed by the trial Court.

[3]. Perusal of the record would show that the plaintiff has already availed 20 effective opportunities including 17 last opportunities. The conduct of the plaintiff shows that he is not pursuing his case in a *bona fide* manner and just wants to delay the proceedings before the trial Court.

[4]. For the reasons recorded hereinabove, I do not find any justification to interfere in the impugned order. The present

revision petition is found to be totally devoid of merits and is accordingly dismissed.

03.10.2019
Prince

(RAJ MOHAN SINGH)
JUDGE

Whether reasoned/speaking

Yes/No

Whether reportable

Yes/No