

IN THE HIGH COURT OF PUNJAB ANDHARYANAAT
CHANDIGARH

CR No. 6599-2019
Date of decision:-19.10.2019

DARSHAN SINGHPetitioner

vs.

JAGTAR SINGH AND OTHERSRespondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present:- Mr. P.S. Sekhon, Advocate
for the petitioner.

RITU BAHRI, J.(Oral)

The present petition is for setting aside order dated 26.09.2019 passed by learned ACJ (SD), Dhuri (P-1) vide which the defence of the petitioner has been struck off.

Issue notice of motion.

On asking of the Court, Mr. Sandeep Kumar, Sr. DAG, Punjab accepts notice on behalf of State.

Learned counsel for the petitioner at the very outset submits that as zimini orders out of 15 effective opportunities, on 04 occasions adjournment has been sought by the defendant for cross examination of the witnesses and on 03 occasions, the case was fixed to enable learned counsel for the plaintiff to file reply to an application under Section 65 of the Indian Evidence Act.

In view of the above factual position, revision petition is allowed and order dated 26.09.2019 passed by learned ACJ (SD), Dhuri (P-1) is set aside. The trial Court is directed to give one effective opportunity to the petitioner to examine the hand writing and fingerprint expert

(RITU BAHRI)
JUDGE

19.10.2019
G Arora

Whether speaking/reasoned : Yes
Whether reportable : No