

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CR No. 8240 of 2019 (O&M)

Date of decision:-19.12.2019

Purshottam Kumar and another

.....Petitioners

vs.

Ashok Singh (deceased) through LRs and others

....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Dr. Anmol Rattan Sidhu, Sr. Advocate with
Ms. Alisha Arora, Advocate
for the petitioners.

RITU BAHRI, J.(Oral)

The petitioners have come up in revision against the order dated 13.12.2019 (Annexure P-4) whereby evidence of the defendants has been closed and the case was adjourned for rebuttal evidence of the plaintiffs.

A perusal of the order dated 13.12.2019 (Annexure P-4) shows that the trial Court had fixed the date for evidence of the defendants on 07.11.2019 and the defendants failed to examine any witness on four subsequent dates. Thereafter application under Order 7 Rule 11 CPC was filed by defendant No. 1 which was dismissed on 10.12.2019 and one final opportunity was granted to conclude their evidence on 12.12.2019. After dismissal of the said application, the defendants had examined DW1 Baldev Singh and DW2 Sukhdev Singh.

The case of the petitioners is that one effective opportunity be granted to them for examining four witnessess to conclude their evidence.

Revision is allowed. Order dated 13.12.2019 is being set aside with direction to the trial Court to grant one effective opportunity to the petitioners/defendants to conclude their evidence by examining four witnesses subject to deposit of Rs.5,000/- with the District Legal Services Authority, Fazilka.

Pending application stands disposed of.

19.12.2019
Divyanshi

(RITU BAHRI)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No