

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

CR-8179-2019

Decided on : 19.12.2019

Darshan Singh

... Petitioner(s)

Versus

Hardeep Singh and others

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

PRESENT: Mr. Ranjeet K. Jaswal, Advocate
for the petitioner(s).

MANJARI NEHRU KAUL, J.

The petitioner has approached this Court under Article 227 of the Constitution of India, seeking quashing of the order dated 21.10.2019 (Annexure P-7), whereby, the evidence of the petitioner has been closed by the Court below and also quashing of order dated 07.11.2019 (Annexure P-9), vide which the application filed by the petitioner for grant of opportunity to lead evidence, has also been dismissed.

It has been contended that after respondent No.1 had filed written statement on 19th September, 2019, the case was fixed for 24th September, 2019, for evidence of the petitioner. But due to the ill health of the petitioner, he was unable to lead his evidence and could not put in an appearance before the Court below.

Heard.

A perusal of the impugned order dated 21.10.2019 (Annexure P-7) reveals that on the said date, the petitioner had been granted last opportunity to lead evidence, however, since the petitioner had failed to do so after availing a number of opportunities, the case was adjourned for the evidence of the respondent and by court order, the evidence of the petitioner

was also closed. It would be pertinent to mention as has also been noticed in the impugned order 07.11.2019 (Annexure P-9) that not only the petitioner had failed to put in an appearance, but even counsel had not appeared on his behalf nor any application had been filed to substantiate his absence on account of his ill health.

In view of above, no interference is warranted in the impugned order. Consequently, the revision petition stands dismissed in *limine*.

(MANJARI NEHRU KAUL)
JUDGE

December 19, 2019

J.Ram

Whether speaking/reasoned: *Yes/No*

Whether Reportable: *Yes/No*