

In the High Court of Punjab and Haryana at Chandigarh

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CR-454-2020 (O & M)

Date of Decision: January 22, 2020

RAJESH KUMAR

.....PETITIONER

VERSUS

SUKHWINDER SINGH

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Vivek Suri, Advocate
for the petitioner.

ANUPINDER SINGH GREWAL, J (ORAL)

The petitioner has challenged the order dated 16.12.2019 whereby his evidence has been ordered to be closed.

Learned counsel for the petitioner contends that on the date when the impugned order was passed, one of his witnesses namely Jagtar Singh was to be examined. The report was received by the Court that he was lodged in Central Jail, Patiala. His production warrants were ordered to be issued on furnishing of his correct particulars but the petitioner could not furnish correct particulars despite due diligence. He further contends that the petitioner may be afforded only one opportunity to conclude his entire evidence.

Heard.

The prayer of the learned counsel for the petitioner appears to be reasonable as the petitioner is only seeking one opportunity to conclude his entire evidence. In the event of the petitioner not being afforded one opportunity to conclude his entire evidence, prejudice would be caused to him.

In view of the limited prayer of the learned counsel for the petitioner to afford only one opportunity to conclude his entire evidence, I intend to dispose of this petition without issuing notice to the respondent. It would also be in the interest of justice, equity and fair play, if the petitioner is afforded only one opportunity to conclude his entire evidence.

Consequently, the petition is allowed and the petitioner shall be afforded one opportunity to conclude his entire evidence subject to payment of ₹ 5,000/- as costs to the Punjab State Legal Services Authority.

If the respondent is aggrieved by the order of this Court, he would be at liberty to approach this Court by filing an appropriate application.

(ANUPINDER SINGH GREWAL)
JUDGE

January 22, 2020

A.Kaundal

Whether speaking/ reasoned	:	Yes/No
Whether Reportable	:	Yes/No