

**In the High Court of Punjab and Haryana at Chandigarh**

**126**

**CR-1437-2020 (O & M)**

**Date of Decision: February 28, 2020**

**GURPREET SINGH**

**....PETITIONER**

**VERSUS**

**SUKHWINDER SINGH**

**....RESPONDENT**

**CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL**

Present: Ms. Prabhjot Kaur , Advocate for the petitioner.

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**ANUPINDER SINGH GREWAL, J (ORAL)**

The petitioner has challenged the order of the trial Court dated 17.01.2020 whereby his evidence has been ordered to be closed.

Learned counsel for the petitioner contends that the petitioner had filed a suit for specific performance of the agreement to sell. The plaintiff wants only one opportunity for leading evidence as he himself is yet to tender evidence while his other witnesses have already deposed and in the event of the petitioner not being afforded one opportunity to lead his evidence, prejudice would be caused to him.

Heard.

The prayer of the learned counsel for the petitioner appears to be reasonable as the petitioner is only seeking one opportunity to lead his evidence.

In view of the limited prayer of the learned counsel for the petitioner to afford only one opportunity to lead his 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 lead his evidence.

Consequently, the petition is allowed and the petitioner shall be afforded one opportunity to lead his evidence subject to payment of ₹ 5,000/- as costs to be paid to the respondent.

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**

**February 28, 2020**  
A.Kaundal

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