

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

112

**CR-2639-2021(O&M)
Date of decision:08.11.2021.**

GURPREET SINGH AND ANOTHER

...Petitioners

Versus

HARPREET KAUR

...Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

**Present: Mr. Sukhjit Singh, Advocate,
for the petitioners.**

ANIL KSHETARPAL, J (Oral)

Defendant no.1 assails the correctness of order dated 08.10.2021, passed by the Additional Civil Judge (Sr. Division), Dabwali.

The Court has closed his evidence after noticing that the defendants have already availed four opportunities.

The learned counsel representing the petitioners, while drawing the attention of the Court to the order dated 08.10.2021, passed in “State vs. Gurpreet Singh etc.” submits that the petitioner-defendant no.1 was appearing in a criminal case pending before the Judicial Magistrate Ist Class and therefore, he could not appear in the civil suit.

Keeping in view the aforesaid facts, the revision petition is disposed of by granting one more opportunity to defendant no.1 to conclude his evidence, subject to the payment of costs of Rs.10,000/-.

This order has been passed, keeping in view the fact that the defendant no.1 started leading his evidence on 05.08.2021, whereas the order impugned herein was passed on 08.10.2021 i.e within a period of two months the court after granting four opportunities had closed his evidence.

As the order has been passed without issuing notice the plaintiff shall have liberty to file an application for re-call/modification of the order, if so advised.

The trial Court is requested to grant an opportunity to the petitioner to produce his entire evidence within a period of 15 days from today, subject to deposit of the costs referred to above payable to the plaintiff by the way of demand draft.

All the pending miscellaneous applications, if any, are also disposed of.

November 08, 2021
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(ANIL KSHETARPAL)
JUDGE

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