

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

Sr. No.112

Civil Revision No.2883 of 2021 (O&M)

Date of Decision : November 22, 2021

Kashmir Singh

...Petitioner

Versus

Jaspreet Singh

...Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Sharad Mehra, Advocate, for the petitioner.

SUDHIR MITTAL, J. (ORAL)

CM-12893-CII-2021

Allowed as prayed for. Exemption sought for is granted.

CR-2883-2021

The petitioner is the plaintiff. He had filed a suit for possession on the basis of title. Issues were framed on 13.10.2016 and complete evidence was not led despite availing 22 effective opportunities. Thus, plaintiff's evidence was closed by order vide order dated 10.01.2020. Application for recall of the said order has also been dismissed vide order dated 07.09.2021.

Learned counsel for the petitioner has submitted that a sympathetic view may kindly be taken. The petitioner may be burdened with costs and one opportunity may be granted to him to conclude his evidence.

A perusal of the impugned order shows that sufficient opportunities have been granted to the petitioner but despite the same, he has failed to conclude his evidence. Explanations sought to be given for the delay such as the plaintiff being a traffic constable and on duty most of the time and delay caused by Covid-19 pandemic are not entitled to be accepted as the facts mentioned in the impugned orders show that the plaintiff-petitioner has been grossly negligent in leading his evidence and the intention appears to be to delay the trial for reasons best known to him. Thus, impugned order suffers from no infirmity requiring interference.

The revision petition is without merit and is dismissed.

November 22, 2021

Ankur

**(SUDHIR MITTAL)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No