

Suresh Pal and another

....Petitioners

VS

Sarla and others

....Respondents

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Ms. Sonia G. Singh Samber, Advocate for the petitioners

SUDHIR MITTAL, J. (Oral)

Vide the impugned order dated 14.10.2021, the defendant's evidence has been closed as despite availing large number of opportunities and last opportunity, no witness was produced.

I have perused the record. From 10.08.2021 till the date of passing of the impugned order, the petitioners-defendants were granted eight opportunities for producing the evidence. Yet, they did not do so. Earlier also they have availed many opportunities as is evident from the zimni orders.

Learned counsel for the petitioners has submitted that one last and final opportunity may be granted to produce the entire evidence subject to payment of appropriate costs.

The conduct of the petitioners-defendants does not entitle them to any compassion. The suit is for injunction simpliciter and the plaint is dated 18.12.2015. It is evident that the suit has been pending for six years. Considering the backlog of cases under which the judiciary is reeling, litigants such as the petitioners do not deserve any relief. The trial Court was justified in closing the evidence and it can not be faulted for passing the impugned order.

Accordingly, this revision petition has no merit and the same is dismissed.

13.12.2021

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(SUDHIR MITTAL)
JUDGE