

In the High Court of Punjab and Haryana, at Chandigarh

Civil Revision No. 296 of 2022

Date of Decision: 10.02.2022

Hari Chand

... Petitioner(s)

Versus

Kulwant Singh and Others

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.

Present: Mr. Gagan Oberoi, Advocate
for the petitioner(s).

Anil Kshetarpal, J.

1. The defendants assails the correctness of the order dated 24.11.2021, passed by the trial Court, while closing the opportunity to lead their evidence. The trial Court has observed that the defendants have been granted as many as 19 effective opportunities.

2. The learned counsel representing the petitioner contends that the petitioner is an aged person and he has already been partly cross-examined on 12.03.2020. Thereafter, another last opportunity was granted. He further contends that due to the restricted functioning of the Courts on account of the spread of COVID-19 pandemic, the defendants could not lead their evidence.

3. This Court has examined the case history on the official website of the District Courts, produced by the learned counsel representing the petitioner, as Annexure P3. It is evident that the suit was filed in the month

evidence on 27.09.2019. Thereafter, it was repeatedly adjourned to 10.10.2019, 22.10.2019, 04.11.2019, 15.11.2019, 29.11.2019, 09.12.2019, 16.12.2019 and 07.01.2020. Thereafter, an application was filed and once again, the Court fixed the case for the defendants' evidence on 11.02.2020. Thereafter, again, the case was adjourned repeatedly. The trial Court has not erred in observing that the defendants have been granted 19 effective opportunities to lead their evidence. The argument of the learned counsel that the petitioner is an old man of 82 years has no substance because there are as many as four defendants in the suit. The defendant No.2 is the wife of defendant No.1, whereas the defendant No.3 is the daughter-in-law of the defendant No.1. None of these defendants have stepped into the witness box.

4. Keeping in view the aforesaid facts, no ground is made out to exercise the discretionary revisional jurisdiction of this Court. Consequently, the present revision petition is dismissed.

(Anil Kshetarpal)
Judge

February 10, 2022

"DK"

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No