

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

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**CR-1692-2022
Decided on : 04.05.2022**

Rani

... Petitioner(s)

Versus

Satnam Singh and another

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

PRESENT: Mr. Vijay Rana, Advocate
for the petitioner(s).

MANJARI NEHRU KAUL, J. (Oral)

Petitioner is impugning the order dated 12.04.2022 (Annexure P-2), passed by the learned Addl. Civil Judge (Sr. Divn.), Amloh, District Fatehgarh Sahib, vide which the evidence of the defendants was closed by order.

Learned counsel *inter alia* contends that the suit was instituted on 08th August, 2016, issues were framed on 08.02.2018 and thereafter, the evidence of the plaintiff (respondent herein) was concluded on 28th February, 2022. He submits that the plaintiff was granted as many as 23 effective opportunities to conclude his evidence, whereas, the impugned order was passed after giving only four opportunities to the defendant (petitioner herein) to conclude her evidence. He further submits that very short adjournments were granted by the Court below and on a couple of the dates the petitioner was indisposed. He submits that it was for genuine reasons that the evidence of the defendant could not be led before the Court below.

Learned counsel further contends that there are four defence witnesses, who are to be examined before the Court below and the evidence of the defence would not take much time to conclude. He thus submits that

the petitioner/defendant is ready to give an undertaking that she would conclude her evidence expeditiously and within a reasonable time. A prayer has, therefore, been made to set aside the impugned order dated 12.04.2022 (Annexure P-2), passed by the Court below.

In the circumstances, the present petition is disposed of and the impugned order dated 12.04.2022 (Annexure P-2) is hereby set-aside. One effective opportunity is granted to the petitioner/defendant to lead her evidence, subject to payment of costs of Rs. 5000/- to be paid to the respondents/plaintiffs before the Court below. It is, however, clarified that the petitioner/defendant shall conclude her evidence within one month, failing which the Court shall be at liberty to close defence evidence by an order.

(MANJARI NEHRU KAUL)
JUDGE

May 04, 2022

J.Ram

Whether speaking/reasoned: *Yes/No*
Whether Reportable: *Yes/No*