

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

CR No.2149 of 2022

Date of Decision: 27.05.2022

M/s Modern H.P. Centre, Patiala

.....Revisionist-petitioner.

Versus

Employees State Insurance Corporation, Chandigarh

.....Respondent.

CORAM: *HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA*

Present:- Mr. Atul Jain, Advocate
 for the revisionist-petitioner.

MEENAKSHI I. MEHTA, J.(Oral)

The petitioner (here-in-after to be referred as 'the plaintiff') assails the order dated 19.04.2022 passed by learned Additional Civil Judge (Senior Division), Patiala (for short, 'the trial Court') whereby the application moved by him under Order 18 Rule 17 CPC for seeking permission to tender his affidavit, along-with the documents, in his evidence, has been dismissed.

2. I have heard learned counsel for the petitioner-plaintiff in the present petition and have also perused the file thoroughly.

3. Learned counsel for the plaintiff has submitted the copies of the 'Zimni' orders passed by the trial Court during the period from 23.11.2016 till 19.04.2022 and he contends that the plaintiff be afforded one more opportunity to conclude his evidence.

4. However, it is pertinent to mention here that in para No.3 of the impugned order, the trial Court has categorically mentioned that the affidavit of the plaintiff had been placed on the file on 26.08.2016 and the same was tendered in the evidence on 27.08.2019, i.e after three years and on 17.11.2021, his (plaintiff's) evidence had been closed by the Court while observing that since the framing of the issues on 14.12.2015, he had availed as many as 29 opportunities to adduce his evidence. In these circumstances, no cogent ground is made out to afford any further opportunity to the plaintiff to lead his evidence.

5. As a sequel to the fore-going discussion, it follows that there is no infirmity, illegality, irregularity or perversity in the impugned order passed by the trial Court, so as to warrant any interference by this Court.

Resultantly, the revision petition in hand, being devoid of any merit, stands dismissed.

May 27, 2022
Yag Dutt

(MEENAKSHI I. MEHTA)
JUDGE

Whether speaking/reasoned: *Yes*

Whether Reportable: *No*