

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

Sr. No.122

CR-2748-2022

Date of Decision: 05.08.2022

**JAGRAJ SINGH THROUGH GPA GAMDUR SINGH ALIAS
GAMDOOR SINGH**

...Petitioner

VERSUS

SHIVRAJ SINGH

...Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present: Mr. Swarn Tiwana, Advocate
for the petitioner.

ARCHANA PURI, J.

Present revision petition has been filed to challenge the order dated 07.05.2022 (Annexure P-1) passed by learned Additional Civil Judge (Senior Division), whereby evidence of the petitioner/plaintiff, had been closed by order.

It is submitted by learned counsel for the petitioner that issues in the present case were framed vide order dated 22.11.2019 and the case was fixed for 10.02.2022 for producing PWs. On 10.02.2020, no PW was present and the case was further adjourned to 08.04.2020. However, during the interregnum period, on account of prevalent Covid-19 situation, in pursuance of the orders passed by the concerned District and Sessions Judge, the cases were not taken up for regular working and the cases were simply adjourned further.

Perusal of the court file reveals that after settling of Covid situation, case was taken up on 15.02.2021 and no PW was present and the case was adjourned for 24.05.2021. One witness namely, Karamaljit Singh was examined on 23.03.2022 and then the case was further adjourned for 31.03.2022. The impugned order was passed on 07.05.2022.

It is further submitted that it was on account of Covid-19 situation, that the witnesses were not examined by the plaintiff.

Now, it is submitted by the learned counsel for the petitioner that only the petitioner/plaintiff is required to be examined in the present case and one opportunity may be given to him to examine the plaintiff as witness. The case is also stated to be fixed before the Lower Court for today itself.

Looking at the constrained circumstances, under which the Courts have been working during the Covid-19 situation and also considering the difficulty faced by the litigants as well, without prejudice to the rights of the parties to be adjudicated on merits, present revision petition is hereby accepted and one opportunity is given to the petitioner/plaintiff to conclude his evidence before the Lower Court.

Petitioner/plaintiff will lead his entire evidence at his own responsibility before the Lower Court, on the date fixed.

05.08.2022

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**(ARCHANA PURI)
JUDGE**

Whether speaking/reasoned

Yes

Whether reportable

Yes/No