

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

121

CR-3559-2022 (O&M)
Date of decision: 01.09.2022

RAVINDER KAUR

....Petitioner(s)

Versus

SWARAN LALTA

...Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Kartik Gupta, Advocate
for the petitioner.

MANJARI NEHRU KAUL. J. (ORAL)

The instant revision petition has been filed for setting aside of the order dated 31.05.2022 (Annexure P-6) passed by learned Additional Civil Judge (Senior Division), Hoshiarpur, whereby evidence of the petitioner/defendant was closed by order.

Learned counsel for the petitioner submits that it was on account of various medical ailments that the petitioner was unable to lead her evidence. A prayer has, therefore, been made that a compassionate view be taken and the petitioner may be granted effective opportunity to lead her evidence.

I have heard learned counsel for the petitioner and perused the relevant material on record.

The petitioner was granted several opportunities to lead her evidence, however, she failed to do so.

Be that as it may, if the petitioner is not granted opportunity to lead her evidence, she would suffer irreparable loss which in turn would result in miscarriage of justice. Therefore, for just and proper adjudication of the case, this Court deems it appropriate to grant two last effective opportunities to the

petitioner to lead her evidence.

In the wake of the above, the impugned order dated 31.05.2022 (Annexure P-6), is set aside. The instant revision petition is allowed in the following terms:-

1. The petitioner is granted two last effective opportunities to lead her evidence.
2. In the event of default by the petitioner, the case shall not be adjourned any further for her evidence and consequently her evidence shall be deemed to be closed by order.
3. This, however, shall be subject to payment of costs in the sum of Rs.7,500/- to be paid to the respondent which shall be a condition precedent.

(MANJARI NEHRU KAUL)
JUDGE

September 01, 2022

S.Sharma(syr)

<i>Whether speaking/reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>