

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

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**CR No.5440 of 2022 (O&M)
Date of Decision: 23.11.2022**

Daler Singh

...Petitioner

Versus

Narinder Kumar Nagpal and others

...Respondents

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

Present :- Mr. Barjinder Singh, Advocate
for the petitioner.

MEENAKSHI I. MEHTA, J.

By way of the instant revision petition, the petitioner-plaintiff No.2 (for short 'the plaintiff') has assailed the order dated 30.08.2022 (Annexure P-4), as passed by learned Civil Judge (Junior Division), Rajpura (for short 'the trial Court') in the Civil Suit filed by him and his co-plaintiffs (proforma-respondents No.4 to 6) against respondents No. 1 to 3-defendants, whereby their (plaintiffs') evidence has been closed.

2. I have heard learned counsel for the petitioner-plaintiff in the present revision petition, at the preliminary stage and have also perused the file carefully.

3. Learned counsel for the petitioner-plaintiff contends that due to some unavoidable circumstances, the plaintiffs could not conclude their evidence despite their best efforts but the trial Court has wrongly closed their evidence vide the impugned order, without considering this fact and

therefore, the said order is a harsh one and deserves to be set-aside.

4. However, I am afraid to agree with the afore-raised contention because a perusal of the copies of the orders passed by the trial Court in the said Civil Suit reveals that the issues were framed on 08.05.2018 and then, after the amendment in the plaint, the issues were re-framed on 13.09.2019 and since then, the plaintiffs had availed as many as seventeen (17) effective opportunities for concluding their evidence but had failed to do so. In these circumstances, it is explicit that they (plaintiffs) were afforded sufficient opportunities for the above-said purpose and the trial Court has rightly passed the impugned order (Annexure P-4).

5. As a sequel to the fore-going discussion, it follows that the impugned order does not suffer from any illegality, infirmity, irregularity or perversity so as to call for any interference by this Court. Resultantly, the present revision petition, being *sans* any merit, stands dismissed.

23.11.2022
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(MEENAKSHI I. MEHTA)
JUDGE

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