

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

CR-5443-2022 (O&M)

Date of decision: 16.12.2022

Hardeep Kaur

...Petitioner

Versus

Kirpal Singh and others

...Respondents

CORAM: HON'BLE MR.JUSTICE H.S. MADAAN

Present: Mr. A.K. Spehia, Advocate for the petitioner.

H.S. MADAAN, J. (Oral)

Mr. Vipin Kumar, Advocate for Mr. Ravi Malhotra, Advocate has appeared on behalf of respondents No.1 and 2 by filing vakalatnama, which be taken on record.

Heard.

Revision petitioner Hardeep Kaur, who is plaintiff in the civil suit filed by her against Kirpal Singh etc., is feeling aggrieved by order dt. 21.10.2022 passed by Civil Judge (Jr. Divn.), Jalandhar, vide which her evidence was closed by order of the Court.

A perusal of the impugned order and other documents on record goes to show that she had availed of several opportunities to conclude her evidence but failed to do so. Although, it transpires that the plaintiff has been quite casual and somewhat negligent in her conduct in not producing evidence in the Court on the dates fixed for the purpose of

her evidence and she has availed of numerous opportunities for that purpose, however, I find that it is always desirable that the contestants in civil litigation are allowed to lead evidence in support of their respective versions, rather than, shutting the doors of evidence upon them.

Under the circumstances, I find that the revision petitioner/plaintiff should be granted one more opportunity to conclude her evidence subject to payment of costs.

Accordingly, the revision petition is allowed; the order under revision is set aside and the revision petitioner is afforded one effective opportunity to conclude her evidence. She would bring the remaining witnesses to the Court at her own responsibility and place on record the documents, which she wants to do. Neither she will ask for any further opportunity nor the same would be granted to her. Payment of costs of Rs.10,000/- would be a condition precedent for allowing her one more opportunity to produce the remaining evidence. The revision petitioner shall bring a demand draft in the sum of Rs.10,000/- in the name of Kirpal Singh-defendant No.1, which she would hand over to defendant Kirpal Singh/counsel for the defendants in the Court and only then, she would be allowed to produce/lead evidence.

16.12.2022

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(H.S. MADAAN)
JUDGE

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