

S.No.114

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

CR No.5605 of 2022

Date of Decision:05.12.2022

Gurjit Kaur and another

.....Petitioners

Vs.

Lakhwinder Singh and another

.....Respondents

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Gobind Rai Sharma, Advocate for the petitioners.

DEEPAK GUPTA, J.

Petitioners before the Court below are the plaintiffs. Their evidence has been closed by the learned trial Court vide order dated 04.11.2022 against which this revision is filed.

It is pointed out by learned counsel that as per order dated 07.10.2022 (Annexure P.3), summon issued to PW1 S.C. Harpreet Singh was received back duly served but as he had not appeared, bailable warrants against him were directed to be issued for 04.11.2022. On the adjourned date, 04.11.2022, despite the fact that no report was received regarding the service of PW1 S.C. Harpreet Singh through bailable warrants, the Court closed the evidence of the plaintiffs.

Learned counsel further submits that only one opportunity is required for evidence as evidence of PW1 S.C. Harpreet is necessary.

Heard.

Without issuing notice of this revision to the respondents, present revision is disposed of with the direction to trial Court to provide one effective opportunity to the petitioners- plaintiffs to conduct

examination of PW1 S.C. Harpreet Singh and then proceed further in accordance with law. In addition, the petitioners are also directed to pay the adjournment cost which was imposed by the trial Court, which shall be condition precedent.

December 05, 2022
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(DEEPAK GUPTA)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No