

111

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR-5693-2022(O&M)

Date of decision: 19.12.2022

HARDEV SINGH

..... PETITIONER

VS

RANJIT SINGH

..... RESPONDENT

CORAM : HON'BLE MR.JUSTICE ALOK JAIN

Present :- Mr. Gaurav Dutta, Advocate for the petitioner.

ALOK JAIN, J. (Oral)

CM-17632-CII-2022

This is an application for placing on record the copies of zimni Orders (Annexure P-5).

Application is allowed as prayed for and copies of zimni orders are taken on record subject to just exceptions.

CR-5693-2022

The present petition raises challenge to the order dated 18.08.2022 (Annexure P-2) passed by the learned Additional Civil Judge (Senior Division), Amloh, whereby the documentary evidence of the petitioner (who is defendant in the suit) was closed. The petitioner has prayed for one opportunity to tender the relevant documents, Annexures P-3 and P-4, which he says could not be done due to inadvertence. At the outset, he prays that since no prejudice would be caused to the plaintiff-respondent, one

opportunity be granted to place on record the relevant documents before the trial Court.

After hearing the counsel for the petitioner and going through the zimni orders especially the orders dated 15.09.2022, 22.09.2022, 29.09.2022 and 06.10.2022 and other orders right up till 02.12.2022 shows that an adjournment had been sought before the trial Court on the ground that the petitioner-defendant shall produce the stay order of the High Court.

It is pertinent to mention here that present revision petition was itself filed for the first time on 02.12.2022 but the petitioner had been seeking adjournment from 25.08.2022 till 02.12.2022 by repeatedly submitting as if the revision was pending in the High Court, whereas the same was not even filed.

Faced with the above observations, counsel for the petitioner prays for withdrawal of the present petition.

The Court restrained itself from imposition of cost due to the repeated persistence of the counsel for the petitioner but a word of caution is issued not only to the petitioner but also to the Court below that before granting such repeated adjournments, at least, some documents be sought from the party with regard to any pendency in the High Court.

Accordingly, present petition is dismissed as withdrawn with above observation.

(ALOK JAIN)
JUDGE

19.12.2022
Manju

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