

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

CR No. 1873 of 2018

DATE OF DECISION :- November 22, 2022

Yadwinder Singh

...Petitioner

Versus

Footwear Design & Development Institute

...Respondent

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

Present:- Mr. Hitesh Ghai, Advocate for the petitioner.

Mr. Yogesh Arora, Advocate for the respondent.

Learned counsel for the revisionist submits that he does not press the revision petition with regard to order dated 12.12.2017 declining application for additional evidence filed by the revisionist plaintiff, however, with regard to order dated 12.9.2017, vide which the trial Court had closed the oral evidence by order, he states that one opportunity be granted to him to conclude his evidence.

Learned counsel appearing for the respondent in all fairness states that he does not oppose the request but the revisionist should be burdened with cost.

Accordingly, the revision petition is disposed of, inasmuch as the order dated 12.9.2017 passed by Additional Civil Judge, Senior Division, S.A.S. Nagar, Mohali closing oral evidence of revisionist plaintiff by order is set aside with the direction that revisionist plaintiff would be afforded one effective opportunity by the trial Court to conclude his entire evidence which would be brought by him at his own responsibility. Service

or non service shall not be ground for any further adjournment. The revisionist is burdened with Rs.5,000/- as cost to be paid to the defendant. The payment of cost shall be condition precedent for permitting the revisionist plaintiff to adduce evidence.

It is stated that the next date of hearing fixed in the trial Court is 3.12.2022. The parties may appear before the trial Court earlier and on payment of the cost by the revisionist plaintiff to defendant, he may be allowed to produce his entire remaining evidence for such date or any other suitable date to be fixed by the trial Court.

A copy of this order be sent to the trial Court through District and Sessions Judge, S.A.S. Nagar, Mohali.

**(H.S. MADAAN)
JUDGE**

November 22, 2022
p.singh

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No