

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(116)

CR No. 135 of 2023

Date of Decision : 31.01.2023

Deepak Kumar

...Petitioner

Versus

Subhash Chander Sanan and another

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Manbir Singh Batth, Advocate for the petitioner.

Mr. Vaibhav Sehgal, Advocate for respondent No. 1.

Harsimran Singh Sethi J. (Oral)

Learned counsel for the parties have agreed that the order dated 21.12.2022 (Annexure P-11) passed by the trial court closing the evidence of the petitioner-plaintiff be set-aside but with a condition that all the evidence, which the petitioner-plaintiff intends to produce before the court, will be produced on a single date.

Learned counsel for the petitioner-plaintiff upon seeking instructions from the petitioner-plaintiff himself, who is present in court, agrees to the said proposal that whatever evidence petitioner-plaintiff intends to produce in his support, will be produced on a single date.

Learned counsel for the respondent-defendant no. 1 on instructions from respondent-defendant No. 1 himself, who is also present in court, also undertakes that in order to avoid delay, all the witnesses, who will be produced by the petitioner-plaintiff for the testimony, will be cross-

examined on the same date so that the proceeding in the present case can come to an end at an early stage.

Keeping in view the above, the present civil revision petition is allowed and the order dated 21.12.2022 (Annexure P-11) is set-aside with the clear indication that the petitioner-plaintiff will produce all his evidence on his own on a date to be fixed by the trial court. It is further made clear that the witnesses, who will come to depose on behalf of the petitioner-plaintiff on the date fixed, will be cross-examined by the respondents-defendants on the same date as undertaken during the hearing of this petition.

The trial court is directed to fix a consensus date for the appearance of the witnesses on the next date of hearing, which is stated to be 03.02.2023. It is made clear that only the evidence, which is produced by the petitioner-plaintiff on the date fixed by the trial court, will be taken into consideration and no further adjournment will be granted for producing the evidences even by the trial court unless and until proceedings are required to be adjourned by the trial court for unforeseen reason.

Civil revision petition is allowed in above terms.

January 31, 2023
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No