

**In the High Court of Punjab and Haryana, at Chandigarh**

**Civil Revision No. 4786 of 2018**

**Date of Decision: 12.07.2023**

Joginder Kaur

... Petitioner(s)

Versus

Manjit Singh

... Respondent(s)

**CORAM: Hon'ble Mr. Justice Anil Kshetarpal.**

Present: Mr. Gursimran Singh Madaan, Advocate  
for the petitioner(s).

Mr. Nimanyu Gautam, Advocate  
for the respondent.

**Anil Kshetarpal, J.**

1. The petitioner herein is the plaintiff in the pending suit. Her evidence has been ordered to be closed by the trial Court vide order dated 03.07.2018.

2. The learned counsel representing the petitioner, while referring to the daily (zimini) orders from 19.09.2017, submits that the summoned official witnesses did not bring the relevant record which resulted in repeated adjournments. He submits that the petitioner is required to be given sufficient opportunity to prove her case.

3. On the other hand, the learned counsel representing the defendant does not dispute the correctness of the daily orders passed by the trial Court from 19.09.2017, however, he submits that the petitioner is required to prove her case.

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witness has been summoned along with the record, the witness is expected to carry the same for the purpose of recording deposition. In the absence thereof, the deposition of the official witness may not be relevant. In this case, the petitioner filed an application for summoning the various officials which was allowed. However, the official witnesses, though appeared in evidence, but did not bring the relevant record. In such circumstances, it becomes evident that the trial Court has failed to grant an appropriate opportunity to the plaintiff to prove her case.

5. Keeping in view the aforesaid facts, the present revision petition is accepted and the order dated 03.07.2018 is set aside. The trial Court is directed to provide two more effective opportunities to the plaintiff to lead her complete evidence.

**(Anil Kshetarpal)**  
**Judge**

**July 12, 2023**  
**“DK”**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No