

CR-5987-2018

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

Sr. No.111

CR-5987-2018

Date of Decision: 20.09.2023

RAJINDER KUMAR

....Petitioner

Versus

JANGPAL SINGH

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present: Mr. Sanjeev Goyal, Advocate,
for the petitioner.

Mr. H.R. Bhardwaj, Advocate, for
Mr. Manu Bhardwaj, Advocate,
for the respondent.

ARCHANA PURI, J. (Oral)

Learned counsel for the petitioner submits that in the present revision petition, he has challenged two orders i.e. 30.07.2018 (Annexure P-1) and 08.08.2018 (Annexure P-2), which have been passed on an application under Order 6 Rule 17 CPC, for amendment of the written statement and qua closing of the evidence of the petitioner (who was defendant before learned Lower Court), by order.

However, at this stage, learned counsel for the petitioner submits that he does not press the relief sought, *vis-a-vis* the order dated 30.07.2018 (Annexure P-1), with regard to amendment in the written statement.

In view of the submission, so made, the present revision petition is hereby dismissed as withdrawn, *vis-a-vis* the order dated 30.07.2018 (Annexure P-1).

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Besides the aforesaid, the petitioner has also challenged the order dated 08.08.2018 (Annexure P-2), whereby the evidence of the petitioner (who was defendant before learned Lower Court) was closed by order.

At this stage, considering the miscellaneous application having remained pending, without prejudice to the rights of the parties to be adjudicated on merits, in the interest of justice, the instant revision petition is accepted qua order dated 08.08.2018 (Annexure P-2), subject to deposit of Rs.20,000/- as costs in the '*Poor Patient Fund, PGIMER, Chandigarh*' within a period of seven days from today onwards. In the given circumstances, the parties are directed to make appearance before learned Lower Court on 30.09.2023, the date already stated to be fixed before learned Lower Court. On appearance of the parties, learned Lower Court shall provide two opportunities to its convenience, to the petitioner to lead evidence.

At the time of making appearance before learned Lower Court, the petitioner shall furnish the receipt with regard to deposit of costs.

Accordingly, the instant revision petition stands disposed of.

20.09.2023
Himanshu

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No