

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

**Civil Revision No. 3746 of 2023(O&M)
Date of Decision: 06.07.2023**

Nirlep Kaur & Ors

...Petitioners

Versus

Paramjit Singh & Ors.

...Respondents

CORAM :HON'BLE MR. JUSTICE KARAMJIT SINGH

**Present:- Mr. Munish Gupta, Advocate
For the petitioners.**

KARAMJIT SINGH, J.

1. Petitioners/ plaintiffs being aggrieved by order dated 08.05.2023 (Annexure P-4) whereby the evidence of the plaintiffs has been closed by order in Civil Suit titled Nirlep Kaur & Ors. Vs. Paramjit Singh & Ors. by the Court of learned Additional Civil Judge (Sr.Divn.), Zira, have filed the present revision petition.

2. I have heard the counsel for the petitioners.

3. At the outset counsel for the petitioners made prayer that one more opportunity be given to the petitioners to conclude their evidence, may be subject to payment to costs.

4. It has been observed by Hon'ble Supreme Court in **Sardar Amarjit Singh Kalra (dead) by LRs and Ors. Vs. Parmod Gupta (Smt.) (dead) by LRs and Ors. 2003(3) SCC 272**, that rules and procedure are

handmaid of justice. These are meant to enhance the cause of justice and not to scuttle the same.

5. This Court is of the view that to do complete justice between the parties, one final opportunity could be granted to the petitioners to conclude its entire evidence, but that can only be on punitive terms.

6. Accordingly, this revision petition is allowed and order, under challenge, is set aside. The trial court is directed to grant one effective opportunity to the petitioners to adduce the evidence subject to payment of costs of Rs.7,000/- to the respondents/ defendants. In case the cost is not paid on the next date of hearing fixed before the learned trial Court, the instant petition shall be deemed to have been dismissed.

7. Keeping in view the circumstances mentioned above, this petition is being disposed of without issuing any notice to the opposite party. If respondents are summoned to contest this litigation, they will have to incur huge expenses to defend this case. However, liberty is granted to the respondents that if they feel dissatisfied with this order, they may move an application to recall the same.

06.07.2023

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**(KARAMJIT SINGH)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No