

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

117

CR-4241-2023

Date of Decision : 31.07.2023

Rajesh Kumar

.....Petitioner

Versus

Bindu Rani and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present : Mr. Ram Kumar Saini, Advocate for the petitioner.

NAMIT KUMAR, J. (ORAL)

1. The challenge in the present revision petition is to the order dated 06.07.2023 passed by the Court of learned Civil Judge (Junior Division), Hisar whereby cross examination of PW-Rajesh Kumar has been deferred to 18.09.2023, however, the application filed by the petitioner/plaintiff for summoning the witnesses has been dismissed.

2. Learned counsel for the petitioner contends that the issues in the present case were framed on 30.08.2022 and the case was fixed for evidence on 15.09.2022 and since the learned Presiding Officer was on casual leave on 15.09.2022, therefore, the matter was taken up on 14.09.2022 and was adjourned to 15.11.2022. On 15.11.2022, no PW was present and the case was adjourned to 05.01.2023 for evidence of the petitioner/plaintiff. On 05.01.2023, the matter was adjourned to 21.03.2023 for concluding the entire evidence of the petitioner/plaintiff at own responsibility and last opportunity was granted. On 21.03.2023,

again the case was adjourned to 06.07.2023 for concluding the entire evidence of the petitioner/plaintiff at own responsibility and last opportunity remained intact. On 06.07.2023, the impugned order has been passed. Learned counsel for the petitioner further contends that counsel for the petitioner/plaintiff met with an accident on 02.11.2022 and remained admitted in the hospital from 03.11.2022 to 07.11.2022; 19.12.2022 to 24.12.2022 and 02.01.2023 to 09.01.2023 and for this reason, the evidence of the petitioner/plaintiff could not be concluded. He seeks one last opportunity for concluding the evidence of the petitioner/plaintiff at his own risk.

3. I have heard learned counsel for the petitioner and perused the relevant record.
4. Keeping in view the relief claimed in the present petition, no notice is being issued to the respondents to avoid delay in conclusion of the trial, however, another opportunity is granted to the petitioner/plaintiff to conclude the evidence on the next date of hearing which is fixed on 18.09.2023.
5. With the abovesaid directions, the instant revision petition is disposed of.

31.07.2023
Kothiyal

(NAMIT KUMAR)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No