

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

Sr. No.129**CR-5095-2023****Date of decision: 04.09.2023****MANJIT SINGH****.....Petitioner****versus****JASWINDER SINGH AND ANOTHER****.....Respondents****CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR**

Present: Mr. Vivek Suri, Advocate
for the petitioner.

NAMIT KUMAR, J. (ORAL)

The challenge in the present revision petition is to the order dated 20.07.2023 (Annexure P-5), passed by the Court of learned Civil Judge (Junior Division), Patiala, whereby the evidence of the petitioner-defendant has been closed by order in case bearing No. CS-1575-2017, titled as “*Jaswinder Singh vs. Manjit Singh etc*”.

Learned counsel for the petitioner contends that the petitioner-defendant has already been examined-in-chief as DW-1 on 07.10.2022 and in the evidence, he has also filed his affidavit (Annexure P-4). Now only the cross-examination of the petitioner-defendant is pending. He submits that no other evidence is to be led on behalf of the petitioner-defendant and he may be granted one more opportunity to complete his evidence. He submits that on the next date of hearing before the trial Court i.e. 11.09.2023, he would complete his evidence. He further submits that even after the petitioner had tendered his affidavit there were talks of compromise between him and his father (Jaswinder Singh-plaintiff). He further submits that on 20.07.2023, he could not go to the trial Court due to some unavoidable circumstances and his non-appearance is neither intentional nor deliberate but due to the circumstances beyond his control and the net effect of the

impugned order would be that his evidence could not be read and he would be condemned unheard and, therefore, great prejudice would be caused to the petitioner.

Keeping in view the facts and circumstances of the present case, one last opportunity is granted to the petitioner to complete his evidence on the next date of hearing before the trial Court i.e. 11.09.2023, subject to payment of cost of Rs.10,000/- to be paid to the respondent-plaintiff on the next date of hearing.

Disposed of in the above-said terms.

(NAMIT KUMAR)
JUDGE

04.09.2023
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Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No