

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

140

2023:PHHC:131479

**CR-6338-2019(O&M)
Date of decision: 10.10.2023**

PHOOLDE ALIAS PHOOLWATI

..Petitioner

Versus

HARI RAM AND OTHERS

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Pardeep Singh Mirpur, Advocate
for the petitioner.

Mr. P.S. Jammu, Advocate
for respondent No.1.

ANIL KSHETARPAL, J(Oral)

1. The petitioner prays for another opportunity to lead evidence. It has been submitted that the petitioner's son was seriously ill and therefore, the plaintiff failed to lead complete evidence as directed by the Court of first instance.

2. On the other hand, the learned counsel representing the respondent No.1 submits that the plaintiff has already availed seven effective opportunities but he has failed to conclude the evidence.

3. This Court has considered the submissions of the learned counsel representing the parties.

4. It is a well known legal principle that the rules or procedures are handmaids of justice. These rules or procedures are required to be interpreted in order to advance the cause of justice. The Court is required to take a holistic view in the matter.

5. In view of the aforesaid facts, the revision petition is allowed.

The petitioner is granted one more opportunity to lead her entire evidence,

subject to payment of cost of Rs.5,000/- to the defendant, which shall be condition precedent for the grant of opportunity.

6. All the pending miscellaneous applications, if any, are also disposed of.

October 10th, 2023
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(ANIL KSHETARPAL)
JUDGE

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