

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

Sr. No.136**CR-5297-2023****Date of decision: 12.09.2023****GOBIND PARSHAD GUPTA****.....Petitioner****versus****MUNNI DEVI AND OTHERS****.....Respondents****CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR**

Present: Mr. J.S. Thind, Advocate with
Mr. Bikramjit Singh, Advocate
for the petitioner.

NAMIT KUMAR, J. (ORAL)

1. Challenge in the present petition is to the order dated 31.08.2023 (Annexure P-4), passed by the Court of learned Civil Judge (Junior Division), Phagwara, whereby, the evidence of the petitioner/defendant has been closed by order.
2. Learned counsel for the petitioner submits that the petitioner is not enjoying good health as he is suffering from bilateral legs ulcer from the last 5-6 years and from left leg post-thrombotic changes. To support the said contention, the petitioner has attached his medical certificate as Annexure P-2. Learned counsel for the petitioner submits that the petitioner shall conclude his entire evidence before the trial Court on the next two dates.
3. I have heard learned counsel for the petitioner and perused the relevant documents.
4. Keeping in view the facts and circumstances of the present case, the order dated 31.08.2023 is set aside and two opportunities are granted to the petitioner to conclude his evidence before the trial Court on the dates fixed by it,

subject to payment of cost of Rs.5,000/- to be paid to the plaintiff as condition precedent.

5. Keeping in view the relief claimed in the present petition, this Court is not inclined to issue notice to the respondents to avoid unnecessary expenditure which they will incur for their appearance and to engage a counsel.

6. Needless to say that the respondents would be at liberty for recalling of this order by moving an appropriate application, if so aggrieved.

(NAMIT KUMAR)
JUDGE

12.09.2023
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Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No