

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

**Civil Revision No. 5444 of 2023(O&M)
Date of Decision: 14.11.2023**

Sanjay Kumar Luthra

...Petitioner

Versus

Sanjeev Kumar

...Respondent

CORAM :HON'BLE MR. JUSTICE KARAMJIT SINGH

**Present:- Mr. Manmeet Singh Rana, Advocate
For the petitioner.**

KARAMJIT SINGH, J.

1. Admittedly, vide order dated 10.08.2023, this Court allowed Civil Revision No. 4500 of 2023 and gave one opportunity to the petitioner/defendant to lead his evidence subject to cost of Rs.10,000/-. The counsel for the petitioner while assailing the impugned order dated 08.09.2023 (Annexure P-5) passed by the learned trial Court submits that the same deserves to be set aside as the said Court failed to provide one effective opportunity to the petitioner to conclude his evidence in compliance of order dated 10.08.2023 passed by this Court despite the fact that the cost of Rs.10,000/- is already deposited by the petitioner.

2. The trial Court is hereby directed to afford one effective opportunity to the petitioner to adduce his evidence in compliance of the earlier order dated 10.08.2023 as the cost imposed is already paid by the petitioner. The petitioner is directed to appear before the trial Court on the

date already fixed and thereafter one effective opportunity to lead evidence will be provided to the petitioner on the date to be fixed by the learned trial Court for that purpose.

3. The petition stands disposed of in aforesaid terms, without commenting on the merits of the case.

4. Keeping in view the nature of order being passed, no notice is required to be issued to the respondent. However, if he feels dis-satisfied with this order, he may move an application to recall the same.

(KARAMJIT SINGH)
JUDGE

14.11.2023

Jiten

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No