

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

266

CR-5076-2022 (O&M)

Date of decision: 25.01.2023

Harpal Singh

..Petitioner (s)

Versus

State Bank of India

..Respondent(s)

CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA

Present: Mr. HS Maan, Advocate for the petitioner.

NIDHI GUPTA, J (Oral)

Prayer in this Revision Petition is for setting aside order dated 10.10.2022 passed by the learned Civil Judge, Junior Division, Sardulgarh, District Mansa vide which the evidence of the defendant-petitioner has been closed by order.

Learned counsel for the petitioner submits that petitioner is working as a labourer and his employer had not granted him leave, thus, he could not appear before the trial Court on 10.10.2022. At the very outset, learned counsel submits that one effective opportunity may be granted to the petitioner to complete his evidence, as grave injustice will be caused to him if he is not permitted to do so.

Mr. Anurag Jain, Advocate puts in appearance on behalf of respondent and files his Memo of Appearance, which is taken on record.

Learned counsel for the respondent has opposed the prayer by submitting that sufficient opportunities have already been granted to the petitioner.

After hearing learned counsel for the parties and keeping in view the above facts as canvassed by ld. Counsel for the petitioner, this petition is allowed and impugned order dated 10.10.2022 is set aside. The learned Court below is directed to grant one effective opportunity to the petitioner to complete his evidence, however subject to payment of Rs.1,000/- as costs to the plaintiff-respondent.

Disposed of as above. Pending application, if any, also stands disposed of.

**(NIDHI GUPTA)
JUDGE**

25.01.2023

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No