

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

CR-4987-2022 (O&M)

Date of decision: 23.02.2023

Labh Singh

...Petitioner

Versus

Pal Singh and others

...Respondents

CORAM: HON'BLE MR.JUSTICE H.S. MADAAN

Present: Mr. A.P. Singh, Advocate for the petitioner.

None for respondents No.1 to 5.

H.S. MADAAN, J. (Oral)

This revision petition is directed against order dated 08.08.2022 passed by Civil Judge (Sr. Divn.) SAS Nagar, Mohali, vide which evidence of plaintiff was closed by order.

Learned counsel for the plaintiff has been contended that on account of breaking out of COVID pandemic, the plaintiff could not produce his entire evidence in the Court and failure to conclude the evidence by him was not intentional or willful and one more opportunity be granted to him to complete his evidence.

Although, after perusal of the impugned order, I find that the plaintiff has been quite slow and sluggish in bringing evidence to the Court but keeping in view the fact that COVID pandemic had broken out throwing the normal life out of gear for a long time, in interest of justice,

one more opportunity can be granted to plaintiff/revision petitioner. Therefore, the present revision petition is allowed; the impugned order is set aside with a direction that the revision petitioner/plaintiff would be allowed one effective opportunity to conclude his evidence by the trial Court. The trial Court would fix a date for recording the entire remaining evidence of the plaintiff, which plaintiff would bring to the Court at his own responsibility without seeking assistance of the Court by getting the summons issued. No further adjournment for the purpose shall be granted. The plaintiff would pay a costs of Rs.15,000/- out of which Rs.10,000/- be deposited with the District Legal Services Authority Mohali and Rs.5000/- be paid to the defendants. Deposit/ payment of costs within a week from today shall be condition precedent for allowing the revision petitioner/plaintiff to produce the evidence as detailed above otherwise, the revision petition is to be taken as dismissed.

23.02.2023

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(H.S. MADAAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No