

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

122

CR-7041-2023 (O&M)

Decided on : November 22, 2023

VIJAY SONI

..... Petitioner

Versus

SAROJ RANI AND ANR

..... Respondents

CORAM : HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Ms. Ekta Thakur, Advocate
for the petitioner.

NAMIT KUMAR, J. (Oral)

1. The challenge in the present revision petition is to the order dated 18.10.2023 passed by the court of learned Civil Judge (Junior Division), Hoshiarpur in C.S. No.299 of 2019 titled as 'Vijay Soni versus Saroj Rani etc.' whereby the evidence of petitioner/plaintiff has been closed by order.

2. Learned counsel for the petitioner *inter alia* contends that only two prosecution witnesses on behalf of the plaintiff are yet to be examined i.e. the Building Expert and the plaintiff herself. She seeks one more opportunity to conclude the entire evidence on the date already fixed before the trial court i.e. 04.12.2023.

5. I have heard learned counsel for the petitioner and perused the relevant documents.

6. Keeping in view the above factual position, it would be appropriate to grant one last opportunity to the petitioner/plaintiff to conclude his evidence.

Consequently, the order dated 18.10.2023 passed by the court of learned Civil

Judge (Junior Division), Hoshiarpur is set aside and the petitioner/plaintiff is granted one more but last opportunity to conclude his evidence on the next date of hearing fixed before the Trial Court subject to payment of Rs.5,000/- (Rupees Five Thousand only) as costs to be paid to the respondent/defendant on the next date of hearing.

- 5. The instant revision petition is allowed in the abovesaid terms.
- 6. Keeping in view the relief claimed in the present petition, this Court is not inclined to issue notice to the respondent to avoid unnecessary expenditure which she will incur for her appearance and to engage a counsel.
- 7. Needless to say that the respondent would be at liberty for recalling of this order by moving an appropriate application, if so aggrieved.

November 22, 2023
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(NAMIT KUMAR)
JUDGE

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