

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

112

CR-29-2023

Date of decision : 06.01.2023

Jaswant Singh and others

... Petitioners

Versus

Manjit Singh

.. Respondent

CORAM :HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. Nitish Garg, Advocate for the petitioners.

Anupinder Singh Grewal, J. (Oral)

The petitioners have challenged the order dated 23.11.2022 (Annexure P-6) whereby their evidence has been closed.

Learned counsel for the petitioners submits that the respondent/plaintiff had filed a suit for mandatory injunction and the matter had been adjourned to 23.11.2022 for recording the evidence of the defendants. On 23.11.2022, a resolution had been passed by the District Bar Association to observe 'no work day' and therefore, the witnesses could not be examined. He further submits that the closure of evidence of the petitioners/defendants without examining the remaining witnesses would cause serious prejudice to their case and prays for only one opportunity to examine DW5 Bihari Lal.

Heard.

In view of the limited prayer of the petitioner for affording them one opportunity to examine DW5, I intend to dispose of this petition without issuance of notice to the respondent. The petitioners are only seeking one opportunity to examine the witness who could not be examined on 23.11.2022

as the Lawyers had abstained from work. It would be in the interest of justice if the petitioners are granted one opportunity subject to payment of cost.

Consequently, the petition is allowed and the petitioners would be afforded one opportunity to examine DW5 Bihari Lal subject to payment of Rs.5,000/-, to be paid to the respondent/plaintiff. However, it is made clear that the petitioners will not make any further request to adjourn the matter.

If the respondent is aggrieved by the order of this Court, he would be at liberty to approach this Court by filing an appropriate application.

(ANUPINDER SINGH GREWAL)
JUDGE

January 06, 2023
sonia gugnani

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