

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CR-388-2024 (O&M)
Date of decision : 04.04.2024

Ajmer Singh Dhillon ... Petitioner(s)

Versus

Rachpal Kaur & Ors. ... Respondent(s)

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Parambir Singh, Advocate for the petitioner.
Mr. P.S. Punia, Advocate for respondent Nos.1 and 2.

ALKA SARIN, J. (ORAL)

1. The present revision petition has been preferred by the plaintiff-petitioner challenging the order dated 18.09.2023 (Annexure P-14) whereby the evidence of the plaintiff-petitioner has been closed.
2. Learned counsel for the plaintiff-petitioner would contend that only three more witnesses need to be examined and that given two effective opportunities, the plaintiff-petitioner would conclude his entire evidence at his own risk and responsibility.
3. Learned counsel for defendant-respondent Nos.1 and 2 states that the plaintiff-petitioner has been delaying the matter and that despite 25 effective opportunities he has failed to conclude his evidence.
4. I have heard the learned counsel for the parties.

5. In the present case the plaintiff-petitioner filed a suit for permanent injunction for restraining the defendant-respondents from closing 2 *karam rasta* as described in detail in the plaint. No doubt despite 25 effective opportunities the plaintiff-petitioner has failed to conclude his evidence, however, keeping in view the fact that only three more witnesses need to be examined and in order to impart complete justice between the parties, this Court deems it appropriate to grant two effective opportunities to the plaintiff-petitioner to lead his entire evidence at his own risk and responsibility starting on the next date of hearing before the Trial Court i.e. 15.04.2024, subject to payment of costs of Rs.30,000/- to be paid to the defendant-respondents, which shall be a condition precedent.

6. Disposed off accordingly. Pending applications, if any, also stand disposed off.

04.04.2024

Yogesh Sharma

(ALKA SARIN)

JUDGE

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO