

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CR-996-2024 (O&M)
Date of decision : 19.03.2024

Nathu Ram ... Petitioner(s)

Versus

Manoj Singh ...Respondent(s)

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Ram Darshan Yadav, Advocate for the petitioner.

Mr. Bhagwan Singh, Advocate for the respondent.

ALKA SARIN, J. (ORAL)

1. Limited prayer in the present revision petition is to grant one opportunity to the defendant-petitioner to lead his evidence which was closed vide impugned order dated 01.02.2024.
2. Learned counsel for the defendant-petitioner would contend that given one opportunity the defendant-petitioner would lead his entire evidence at his own risk and responsibility and that he is also willing to compensate the plaintiff-respondent by way of costs.
3. Mr. Bhagwan Singh, Advocate has put in appearance on behalf of the plaintiff-respondent and has filed his power of attorney, which is taken on record. Learned counsel for the plaintiff-respondent has contended that the defendant-petitioner was granted four last opportunities, however, he failed to lead his evidence.
4. I have heard the learned counsel for the parties.
5. In the present case, no doubt the defendant-petitioner has been remiss in leading his evidence, however, since the case is for specific

performance, this Court deems it appropriate to grant one effective opportunity to the defendant-petitioner to lead his entire evidence at his own risk and responsibility subject to payment of Rs.30,000/- as costs to be paid to the plaintiff-respondent. The payment of costs shall be a condition precedent.

6. In view of the above, the present revision petition is disposed off. Pending applications, if any, also stand disposed off.

19.03.2024
Ankur

(ALKA SARIN)
JUDGE

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