

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

C.R.No.1227 of 2024 (O&M)

Date of Order:18.03.2024

Lakhbir Singh (deceased) through LR's and others

.Petitioners

Versus

Kuldeep Singh

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Tejwinder Singh Hundal, Advocate
for the petitioners.

ANIL KSHETARPAL, J

1. The petitioner through his LR's, is defendant no.1 in the plaintiff's suit for joint possession by way of specific performance of the agreement to sell dated 21.12.2012.

2. The petitioner is aggrieved of order dated 15.02.2024, whereby opportunity to lead his evidence was closed.

3. The learned counsel representing the petitioners submits that he may be granted one opportunity to conclude his entire evidence.

4. This court has examined the daily orders produced by the learned counsel representing the petitioners. The plaintiffs closed its evidence on 08.11.2023. Within a period of three months, the defendant's evidence has been closed while granting him short adjournments.

5. The learned counsel representing the petitioners submits that the plaintiff was granted as many as 5 years to conclude his evidence, whereas when the turn of the defendants came, the court is trying to rush through the matter.

6. This court has considered the submissions of the learned

counsel representing the petitioners.

7. Undoubtedly, the efforts of the court should be to expeditiously dispose of the suit. However, reasonable opportunity is required to be granted to the defendant to lead his evidence. While granting time to the parties to lead evidence, the court is required to maintain balance.

8. In the facts and circumstances of the present case, the order dated 15.02.2024, is modified. The trial court is directed to grant one effective opportunity to the petitioners to lead his entire evidence within a period of 15 days, from today.

9. With these observations, the revision petition is disposed of.

10. All the pending miscellaneous applications, if any, are also disposed of.

March 18, 2024
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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned :YES/NO
Whether reportable :YES/NO