

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CR-1425-2024 (O&M)
Date of decision : 22.04.2024

Jagdish Sandhu ... Petitioner(s)
Versus
UCO Bank ... Respondent(s)

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Aditya Sheoran, Advocate and
Mr. Nihit Lomis, Advocate for the petitioner.

Mr. Yashveer Kharb, Advocate for the respondent.

ALKA SARIN, J. (ORAL)

1. The present revision petition has been preferred by the defendant-petitioner challenging the order dated 12.01.2024 (Annexure P-3) whereby the evidence of the defendant-petitioner has been closed by order.
2. Learned counsel for the defendant-petitioner would contend that only one witness remains to be examined and that given one effective opportunity, the defendant-petitioner would conclude his entire evidence at his own risk and responsibility.
3. *Per contra*, learned counsel for plaintiff-respondent states that the defendant-petitioner has been delaying the matter and that despite numerous opportunities he has failed to conclude his evidence and hence the impugned order was rightly passed on 12.01.2024 closing the evidence of the defendant-petitioner.

4. I have heard the learned counsel for the parties.

5. In the present case the learned counsel for the defendant-petitioner has contended that only one witness needs to be examined and that given one effective opportunity he would conclude his entire evidence at his own risk and responsibility. The present suit is for recovery of Rs.9,60,394/- alongwith *pendente lite* interest. No doubt despite numerous opportunities the defendant-petitioner has failed to conclude his evidence, however, keeping in view the fact that only one witness needs to be examined and in order to impart complete justice between the parties, 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 costs of Rs.10,000/- to be deposited with the District Legal Services Authority, Panipat, which shall be a condition precedent.

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

22.04.2024

Yogesh Sharma

(ALKA SARIN)

JUDGE

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