



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

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CR-3581-2024 (O&M)

Date of Decision.:01.07.2024

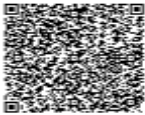
Sardool Singh, since deceased through LRs**Petitioners****Vs.****Rajwinder Kaur****Respondent****CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA**

Present: Mrs. Himani Kapila, Advocate
for the petitioners.

DEEPAK GUPTA, J. (ORAL)

Petitioners are the plaintiffs before the trial Court. They are aggrieved by the order dated 12.02.2024 (Annexure P-5), whereby their evidence has been closed.

Learned counsel contends that immediately after framing of the issues on 14.01.2021, the plaintiff- Sardool Singh along with another witness Gurnam Singh had furnished their affidavits as examination-in-chief on 05.04.2021 but their cross-examination was deferred at the request of counsel for the defendant- respondent. Later on, plaintiff- Sardool Singh expired and his LRs were brought on record vide order dated 13.05.2022. One more witness namely Gurjit Singh was present on 14.11.2022 and was examined in chief but his cross-examination was also deferred at the request of learned counsel for the defendant. Learned counsel contends that although the matter was adjourned for evidence of the plaintiffs but the same could not be produced. Learned counsel requests for granting only one opportunity to conclude the evidence. It is also



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contended that later on defendant was proceeded *ex parte* and the *ex parte* proceedings were set aside on 13.10.2023.

Heard.

Without adverting to the merits of the case the present petition is hereby disposed of by granting one opportunity to the petitioners- plaintiffs to conclude their evidence. The trial Court shall fix one date for evidence of the plaintiffs- petitioners, on which the petitioners shall produce their evidence at their own responsibility.

This petition is allowed subject to cost of ₹10,000/- to be paid by the petitioners- plaintiffs to the respondent- defendant by way of Demand Draft in her favour.

Since this order has been passed without issuing any notice to the respondent, so she will be at liberty to approach this Court in case, she is aggrieved by the order.

(DEEPAK GUPTA)
JUDGE

July 01, 2024
Neetika Tuteja

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No