



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

289

**CR-7532-2024 (O&M)
Date of Decision: 07.01.2025**

GURMANPREET SINGH Petitioner

VERSUS

M/s PURI TELECOM AND ANR Respondents

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Ankush Verma, Advocate for the petitioner.
Mr. Vikram Preet Arora, Advocate for the respondents.

ALKA SARIN, J. (ORAL)

1. Mr. Vikram Preet Arora, Advocate has appeared and has filed his power of attorney on behalf of the respondents which is taken on record.
2. The prayer in the present revision petition filed under Article 227 of the Constitution of India is for setting aside the order dated 21.10.2024 (Annexure P-10) passed by the learned Additional Civil Judge (Senior Division), Fatehgarh Sahib whereby the evidence of the plaintiff-petitioner herein was closed by order.
3. Learned counsel for the plaintiff-petitioner would contend that two witnesses i.e. one is a private witness and another is a Clerk from the Office of Senior Superintendent of Police (SSP) concerned qua whom the diet money had already been deposited, remain to be examined and that given one opportunity the plaintiff-petitioner would conclude his entire evidence.

4. *Per contra*, the learned counsel for the defendant-respondents states that the plaintiff-petitioner had already availed 9 effective opportunities to conclude his evidence and he failed to do so and hence no fault can be found with the impugned order.

5. Heard.

6. In the present case the evidence of the plaintiff-petitioner was closed vide the impugned order as despite 9 effective opportunities he had failed to conclude his evidence. Qua one witness i.e. the concerned Clerk from the Office of Senior Superintendent of Police (SSP), the diet money had already been deposited. Learned counsel for the plaintiff-petitioner has argued that the plaintiff-petitioner had come present in Court post-lunch as in the pre-lunch session the counsel's Clerk's child was taken unwell and the Clerk had rushed the child to the hospital. No doubt the plaintiff-petitioner has been remiss in not leading his evidence, however, keeping in view the nature of the suit, one effective opportunity is granted to the plaintiff-petitioner to lead his entire evidence subject to payment of costs of ₹30,000/- to be paid to the defendant-respondents. The payment of costs shall be a condition precedent.

7. Revision petition stands disposed off accordingly. Pending applications, if any, also stand disposed off.

07.01.2025
Aman Jain

(ALKA SARIN)
JUDGE

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: Yes/No