
(2012) 03 P&H CK 0220

In the Punjab And Haryana At Chandigarh

Case No : C.R. No. 1635 of 2012 (O and M)

Ristematic Estate Private Ltd.

APPELLANT

Vs

Gopi Chand Saini and others

RESPONDENT

Date of Decision : 14-03-2012

Acts Referred:

Citation : (2012) 03 P&H CK 0220

Hon'ble Judges : Tejinder Singh Dhindsa, J

Bench : Single Bench

Judgement

Tejinder Singh Dhindsa, J.—The present revision petition has been filed against the order dated 27.2.2012 passed by the Addl. Civil Judge (Sr. Divn.), Palwal, whereby the petitioner/defendant's evidence has been closed. A perusal of the impugned order dated 27.2.2012 would reveal that as many as seven effective opportunities have been granted to the defendant and it was only thereupon that the order closing the evidence has been passed. I find no infirmity in the order.

2. Learned counsel for the petitioner, however, prays that one final opportunity may be granted to the petitioner/defendant to lead his evidence. The rules of procedure have been made to advance the cause of justice and not to defeat the same. As such, it would be in the interest of justice to grant one final opportunity to the petitioner/defendant to lead his entire evidence.

3. Accordingly, the present petition is disposed of with the directions to the Trial Court to grant one effective opportunity to the petitioner/defendant to lead his evidence subject to payment of Rs. 5,000/- as costs to be paid to the plaintiff. It is, however, made clear that in case the present petitioner/defendant does not lead evidence on such opportunity, the impugned order dated 27.2.2012 shall remain operative. Revision petition is disposed of, accordingly.