

(2001) 02 P&H CK 0148

High Court Of Punjab And Haryana At Chandigarh

Case No: F.A.O. No. 2231 of 1998

Ramesh Kumar Dahiya

APPELLANT

Vs

Charan Singh

RESPONDENT

Date of Decision: Feb. 24, 2001

Acts Referred:

- Civil Procedure Code, 1908 (CPC) - Order 17 Rule 3

Citation: (2001) 3 CivCC 485 : (2001) 3 RCR(Civil) 647

Hon'ble Judges: V.S. Aggarwal, J; A.S. Gill, J

Bench: Division Bench

Advocate: Ms. Saloni Sharma, for the Appellant; Mr. N.K. Khosla, for the Respondent

Final Decision: Allowed

Judgement

A.S. Gill, J.

Heard learned counsel for the parties.

2. The grievance of the appellant against the order of the Tribunal in brief is that despite the fact that the appellant was bedridden, the case was closed for want of evidence and the claim petition was dismissed.

3. We have perused the record as well as the order of the Tribunal. It is a fit case where the appellant should have been granted another opportunity for producing evidence. With this observation, the appeal is allowed and the case is remanded to the tribunal to be taken up at the stage it was dismissed allowing one more opportunity to the appellant to produce his entire evidence on his own responsibility. The parties, through their counsel, are directed to appear before the Tribunal on 26.3.2001.

4. Appeal allowed.