

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO(S). 8735-8737 OF 2017  
[@Special Leave Petition (C) NO(S) of 1522-1524 of 2016]

CHANDER PRAKASH MALHOTRA

Appellant (s)

VERSUS

R.B.S. CHAHAL & ANR.

Respondent(s)

O R D E R

Leave granted.

Heard the learned counsel for the appellant. None appears for the respondents.

The appellant preferred these civil appeals by way of special leave petition against the final order dated 27.04.2015 passed by the High Court of Punjab and Haryana at Chandigarh in civil revision No.8867 of 2014 giving an opportunity to the petitioner to produce the certified copies of the documents, which he sought to produce and defendant had no objection for his cross-examination. The High Court modified the order dated 20.11.2014 passed by the lower court whereby the evidence of the plaintiff was closed and also orders dated 19.12.2014 and 22.12.2014, permitting the petitioner to cross-examine. The petitioner had filed an application for modification of the order before the High Court inasmuch as the plaintiff wanted to examine himself as

witness in the court. The said application had been dismissed by the High Court vide order dated 18.5.2015. Hence, the appellant is before this Court.

After hearing the learned counsel for the appellant at length, we are of the opinion that though the conduct of the appellant was not good, he was given 11 opportunities to adduce evidence and ultimately he filed a transfer application for transferring of the case, nevertheless, the fact remains that the High Court has given opportunity to examine the defendant as well as to file certified copies. No useful purpose is going to be served by filing the certified copies.

However, we allow the plaintiff to examine himself only as witness on a date to be fixed by the Trial Court for the purpose. Only one opportunity is granted to the plaintiff to examine himself, and that too, subject to the payment of cost of Rs. 25,000/- (Rupees Twenty Five Thousand only) to the contesting defendants before his evidence is recorded.

With the aforesaid modification in the order, the appeals stand disposed of.

.....J  
(ARUN MISHRA)

.....J  
(AMITAVA ROY)

NEW DELHI;  
JULY 7 ,2017

ITEM NO.13

COURT NO.10

SECTION IV-B

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s).1522-1524/2016

(Arising out of impugned final judgment and order dated 18-05-2015 in CR No. 8867/2014 passed by the High Court Of Punjab & Haryana At Chandigarh)

CHANDER PRAKASH MALHOTRA

Petitioner(s)

VERSUS

R.B.S. CHAHAL

Respondent(s)

Date : 07-07-2017 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ARUN MISHRA

HON'BLE MR. JUSTICE AMITAVA ROY

For Petitioner(s) Mr. Dinesh Malhotra, Adv.  
Mr. B. S. Sharma, Adv.  
Mr. Sureshan P., AOR

For Respondent(s)

UPON hearing the counsel the Court made the following  
O R D E R

Leave granted.

The appeals are disposed of in terms of the signed  
order.

(B. PARVATHI)  
COURT MASTER (SH)

(TAPAN KUMAR CHAKRABORTY)  
BRANCH OFFICER

(Signed order is placed on the file)