

<p>तारीख हुक्म</p>	<p>हुक्म या कार्यवाही मय इनिशियल्स जज  <b>Revision/TA/4639/2005/Nagaur.</b>  <b>Kalyanmal Vs Hanumanprasad</b></p>	<p>नम्बर व  तारीख जो  अहकाम जो  इस हुक्म की  तामील में जारी  हुए</p>
<p>20-07-2018</p>	<p style="text-align: center;"><b><u>S.B.</u></b>  <b>Shri Rajinder Kumar, Member</b>  *****</p> <p><b>Present:</b></p> <ol style="list-style-type: none"> <li>1. Shri J.K. Panth, Advocate Brief Order of Sh. N.L. Pokrana, Advocate for the Revisionists.</li> <li>2. None on behalf of Respondent no. 1 to 3.</li> <li>3. Shri Shiv Prakash Chaudhary, Dy. GA for Respondent no. 4 and 5.</li> </ol> <p style="text-align: center;">*****</p> <p>Earlier, ordinary notices of respondent no. 1-3 were received by respondent no. 3 Jeevraj for 22-11-2005 Thereafter, registered notices for respondent no. 1 to 3 were sent, which have not been received so far, either served or unserved. Almost one year has elapsed since the date of dispatch of registered notices. Therefore, it is presumed that the registered notices have been served upon these respondents. As no one is present on their behalf, therefore, the order of ex-parte hearing is passed against respondent no. 1 to 3.</p> <p>Heard Shri J.K. Path and Shri Shiv Prakash Chaudhary Advocates on the revision petition and perused the record.</p> <p>This revision petition has been preferred against the order dated 31-08-2005 of the trial court of SDO Parbhatsar, whereby the evidence of revisionists/plaintiffs was closed and the case was adjourned for evidence of defendants.</p> <p>The issues were struck by trial court on 24-09-2003. Thereafter, the case was adjourned for plaintiffs' evidence for 8-10-2003, 15-10-2003 and 19-11-2003 but no evidence was produced by them. On</p>	

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	<p>the adjourned date of 31-08-2005, the statement of plaintiff Kalyanmal PW1 was recorded and the evidence of plaintiffs was closed by court order. Though, sufficient opportunities had been given to the plaintiffs to produce their evidence yet looking to the fact that present case relates to immovable property, it appears just and proper to grant one last opportunity to the plaintiffs to lead their remaining entire evidence.</p> <p>Resultantly, the revision petition is accepted and the order of trial court dated 31-08-2005 closing evidence of the plaintiffs is set aside subject to payment of cost of Rs.2000/-. The trial court shall grant the plaintiffs one last opportunity of producing their entire evidence, on a date to be fixed in the presence of both the parties. The record of trial court be sent and forthwith. File be consigned.</p> <p style="text-align: center;">(Rajinder Kumar) Member</p>	