



CR-7054-2025

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

(124)

CR-7054-2025

Date of Decision: - 01.10.2025

**Anil Gopal**

...Petitioner

**Versus****Naib Singh and others**

.....Respondents

**CORAM : HON'BLE MR. JUSTICE VIKAS BAHL**

Present:- Mr. Gagandeep Singh Virk, Advocate,  
for the petitioner.

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**VIKAS BAHL, J. (ORAL)**

1. Present revision petition has been filed under Article 227 of the Constitution of India for quashing/setting aside the order dated 04.09.2025 (Annexure P-4) passed by the Civil Judge (Jr. Division), Ludhiana, whereby the evidence of defendant No.3/petitioner has been closed by order.

2. Learned counsel for the petitioner has submitted that in the present case, in the original suit the petitioner was not made a party and it was subsequently vide order dated 01.10.2018 (Annexure P-2) that the petitioner was impleaded as defendant No.3. It is argued that the evidence of the plaintiff/respondent No.1 was closed on 01.03.2024 and thereafter, the case was adjourned to 11.03.2024 which was the first date for the evidence of defendant. It is further submitted that an application was



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filed by the plaintiff on 25.09.2024 for framing of additional issue which was allowed on 16.10.2024 and thereafter, respondent No.1/plaintiff had also moved another application on 05.12.2024 for impounding. It is further argued that the petitioner only seeks one last opportunity for presenting DW-1 for the purpose of completion of his cross-examination, as the said DW-1 has already submitted his examination-in-chief and has also been partly cross-examined. It is submitted that in case the said opportunity is not granted, then, irreparable loss would be caused to the petitioner and has further submitted that for the inconvenience caused to respondent No.1, the petitioner is ready to pay appropriate costs.

3. Keeping in view the above-said facts and circumstances, this Court is of the opinion that the petitioner should be granted one last opportunity to present DW-1 for the purpose of completion of his cross-examination and accordingly, the impugned order dated 04.09.2025 (Annexure P-4) is partly set aside to the extent that it had been observed that the testimony of DW-1 would not be read into and the evidence was closed by order, subject to the petitioner depositing an amount of ₹30,000/- before the trial Court, within a period of one week from today, which amount would be released to the respondent No.1 by the trial Court.

4. As a last opportunity, the trial court would give one date for the said DW-1 to appear for the purpose of completion of his cross-examination and in case the said DW-1 appears, then, he would be cross-examined, however, in case the said DW-1 does not appear on the date



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given by the trial court, then, no further opportunity would be given to the said DW-1 to come forward for his cross-examination and the present revision petition would be deemed to have been dismissed.

5. It is made clear that in case the cost of ₹30,000/- is not deposited by the petitioner within the aforesaid period, then, the present revision petition would be deemed to have been dismissed.

6. It would be relevant to mention that notice of motion has not been issued to respondent No.1 as issuance of any notice would further delay the proceedings in the suit and would also entail expenses for respondent No.1 in order to defend the present petition. However, it would be open to respondent No.1 to move an application for recalling the present order, in case, any statement made before this Court is found to be false/incorrect.

**October 01, 2025**  
*naresh.k*

**( VIKAS BAHL )**  
**JUDGE**

Whether reasoned/speaking?  
Whether reportable?

Yes/No  
Yes/No