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

CR-1595-2025 (O&M)  
Date of decision: 27.03.2025

Ibrahim and others ...Petitioners

Versus

Randeep @ Vicky ...Respondent

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

Present: Mr. Lalit Kumar Narang, Advocate for the petitioners.

Mr. Sachin Mankash, Advocate and  
Mr. Mayur Singla, Advocate for the respondent.

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

1. This is a revision petition filed under Article 227 of the Constitution of India for setting aside the order dated 13.01.2025 (Annexure P-4) passed by the Additional Civil Judge (Senior Division), Fatehabad, in case CS-165-2019 whereby an application filed under Order 18 Rule 17 read with Section 151 of CPC filed by the petitioners for recalling of PW1-Sikander for further cross-examination has been dismissed.

2. On 18.03.2025, this Court had passed the following order:-

*“Present:- Mr. Lalit Kumar Narang, Advocate, for the  
petitioners.*

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*Inter alia contends that on 02.12.2021, PW1 Sikandar had not been completely cross-examined and the case was adjourned as the Court time was over. It is submitted that however in the order passed on 02.12.2021, it was observed that the said PW1 was present and had been examined although his entire cross-*



*examination has not been completed. It is further submitted that in view of the above order passed, the petitioners were under the impression that PW1 has been fully examined. It is stated that since the said PW1 had not been fully examined, an objection could be taken by the counsel for the defendant to the effect that evidence of PW1 Sikandar be not read in evidence and the same would cause serious prejudice to the petitioner/plaintiff as PW1 Sikandar is one of the main witnesses of the petitioner/plaintiff. It is further stated that for the inconvenience caused to the respondent/defendant, the petitioner is ready to pay adequate costs.*

*Notice of motion for 27.03.2025.*

*Notice re: stay as well.*

*Liberty is granted to the petitioners to serve the respondent through dasti process as well as through the counsel appearing for him before the trial Court.*

*Petitioners are directed to bring a demand draft of an amount of Rs.30,000/- in the name of the respondent on the next date of hearing.*

*It is made clear that in case the said demand draft prepared in the name of the respondent is not produced by the petitioners on the next date of hearing, then, the present interim order would be liable to be vacated.*

*The trial Court is directed to give a date beyond the date fixed by this Court.*

*To be taken up in the urgent list.*

*March 18, 2025”*

3. Learned counsel for the petitioners has submitted that in pursuance of the abovesaid order, demand draft of an amount of Rs.30,000/- prepared in the name of respondent has been handed over to learned counsel appearing on behalf of the respondent, which fact has been reaffirmed by learned counsel for the respondent.



4. Learned counsel for the respondent has submitted that in case an opportunity is to be granted, then, only one opportunity be granted to the petitioners to produce the said PW1-Sikander, only for the limited purpose of completion of the cross-examination of the said witness by the respondent.

5. Learned counsel for the petitioners has submitted that the case before the trial Court is fixed for 28.03.2025 and the petitioners would produce the said PW1 on the date to be given by the trial Court on 28.03.2025 for the purpose which has been highlighted by the learned counsel for the respondent.

6. Keeping in view the abovesaid facts and circumstances, the impugned order is set aside with the following observations/directions:-

- i) The trial Court would give a date to the petitioners on 28.03.2025 to produce the PW1-Sikander.
- ii) On the date so given by the trial Court, the petitioners would produce the said PW1-Sikander only for the limited purpose of completion of his cross-examination by the respondent.
- iii) It is made clear that in case the said PW1-Sikander is not produced on the date so given by the trial Court, then no further opportunity would be granted to the petitioners.

7. In view of what has been observed above, the present revision petition is disposed of.

8. All the pending miscellaneous applications, if any, shall stand disposed of in view of the abovesaid order.

**27.03.2025**

*Pawan*

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

**Whether speaking/reasoned:- Yes/No**

**Whether reportable:- Yes/No**