



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

**C. R No. 4739 of 2025 (O&M)
Date of decision : 25.07.2025**

SanjayPetitioner

versus

Rajesh ...Respondent

CORAM: HON'BLE MRS. JUSTICE SUDEEPTI SHARMA

Present: Mr. Rajesh Lamba, Advocate
for the petitioner.

SUDEEPTI SHARMA, J. (Oral)

1. Present petition has been preferred against the order dated 30.05.2024 passed by learned Civil Judge (Jr. Divn.) Bahadurgarh whereby the evidence of the respondent/plaintiff has been closed.

2. Brief facts of the case are that the respondent filed a suit for recovery of Rs. 4,68,750/- along with interest @24% per annum from the date of filing of the suit till its realization.

3. Learned counsel for the petitioner contends that due to unavoidable circumstances, the petitioner could not examine the witnesses. He, therefore prays that one last opportunity be granted to the petitioner to examine the witnesses. Learned counsel further submits that the next date fixed before the learned Court is today i.e 25.07.2025.

5. I have heard learned counsel for the petitioner and perused the whole file of this case with his able assistance.

6. A perusal of the file shows that the petitioner could not examine the witnesses due to unavoidable circumstances. A *lis* should be decided on merits rather on technicalities, therefore, justice demands that



one last opportunity is required to be given to the petitioner to examine the witnesses.

7. In view of the above, the present revision petition stands allowed and order dated 30.05.2024 passed by learned Civil Judge (Jr. Divn.) Bahadurgarh is set aside. One last opportunity is granted to the petitioner to examine the witnesses, subject to payment of Rs.5,000/- as costs to be deposited by the petitioner with the District Legal Services Authority, Bahadurgarh. Since the case is fixed for today i.e 25.07.2025, therefore, the learned trial Court is directed to allow the petitioner to examine the witnesses on the next date of hearing fixed by the learned Court below.

25.07.2025

Gaurav Arora

(SUDEEPTI SHARMA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No