



CR-5051-2025 (O&M)

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

**CR-5051-2025 (O&M)
Date of Decision: 01.08.2025**

Paramjit Kaur

.....Petitioner

Vs.

Simranjeet Singh and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE SUDEEPTI SHARMA

Present : Mr. Vishal Sharma, Advocate, (through V.C.) and
Mr. Manjit Singh, Advocate,
for the petitioner.

SUDEEPTI SHARMA J. (ORAL)

1. The present petition is preferred against the impugned order dated 14.07.2025 passed by learned Civil Judge (Junior Division), SAS Nagar/Mohali, whereby, the application moved by the petitioner/defendant No.5 for recalling of the order dated 23.05.2025, was dismissed.

2. Learned counsel for the petitioner contends that the learned Civil Judge (Junior Division), SAS Nagar/Mohali, has wrongly dismissed the application filed by the petitioner/defendant No.5 for recalling of order dated 23.05.2025, whereby, the evidence of the petitioner/defendant No.5 was closed by court order. He further contends that it has been wrongly mentioned in the order dated 23.05.2025 that cost of Rs.500/- imposed upon the petitioner/defendant No.5, which was directed to be deposited with the District Legal Services Authority (DLSA), SAS Nagar/Mohali, was not



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deposited. In fact, the said amount was duly deposited by the petitioner/defendant No.5, but due to some technical error in the printer of the DLSA office, the printout of the receipt of payment was not given to her. He further contends that on 09.05.2025, the petitioner could not lead the evidence as 'no work call' was given by the Bar due to a conflict and a war like situation between India and Pakistan. He further submits that list of witnesses was submitted and diet money was also duly deposited by the petitioner/defendant No.5. Since summons were not issued to the witnesses by the trial Court, therefore, no witness was present. He further submits that the next date of hearing before the learned trial Court is fixed for 04.08.2025. The contentions raised by the petitioner before this Court are the same as mentioned in the application for recalling of the order dated 23.05.2025. Hence, he prays that the present revision petition be allowed.

3. I have heard learned counsel for the petitioner and perused the case file with his able assistance.

4. A perusal of the application filed by the petitioner for recalling of the order dated 23.05.2025 shows that due to unavoidable circumstances, the evidence could not be led by the petitioner. A *lis* should be decided on merits rather than on technicalities, therefore, justice demands that one last effective opportunity is required to be granted to the petitioner to lead her entire evidence.

5. In view of the above, the present revision petition is **allowed** and impugned order dated 14.07.2025 passed by learned Civil Judge (Junior



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Division), SAS Nagar/Mohali, is hereby set aside. The petitioner is granted one last effective opportunity to lead her entire evidence, subject to payment of Rs.10,000/- as costs to be deposited by the petitioner with the Punjab and Haryana High Court Bar Association, which shall be utilized for the construction/renovation of the 'Women Bar Room' at the Punjab and Haryana High Court, Chandigarh.

6. Since the next date of hearing is stated to be fixed for 04.08.2025, therefore, the learned trial court is directed to afford the petitioner one last effective opportunity on any subsequent date, which is to be fixed by it, to lead her entire evidence.

7. Pending application(s), if any, also stand disposed of.

(SUDEEPTI SHARMA)
JUDGE

01.08.2025

Virender

Whether speaking/non-speaking : Yes/No

Whether reportable : Yes/No