



**CM-7864-CII-2025 in/and -1-
CR-1690-2025**

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

(119)

**CM-7864-CII-2025 in/and
CR-1690-2025
Date of decision: - 30.04.2025**

Bhupinder Paul Juneja

...Petitioner

Versus

Renu Arora and another

.....Respondents

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. Sukhwinder Singh Chatrath, Advocate,
for the applicant-petitioner.

VIKAS BAHL, J. (ORAL)

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1. This is an application under Section 151 CPC for revival of the main revision petition.
2. For the reasons mentioned in the application, which are duly supported by an affidavit and also on account of the fact that while disposing of the matter on 21.03.2025, liberty was granted to the petitioner to revive the case after annexing all the relevant zimni orders, which has been done by the counsel for the applicant-petitioner, the present application is allowed and the order dated 21.03.2025 is recalled and the main revision petition is restored to its original number.

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1. Present civil revision petition has been filed under Article



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227 of the Constitution of India for setting aside the order dated 25.07.2024 (Annexure P-3) passed by the Civil Judge (JD), Jalandhar, whereby the evidence of the petitioner has been closed by order. Challenge is also made to the order dated 17.01.2025 (Annexure P-6) passed by the Civil Judge (JD), Jalandhar, whereby the application of the petitioner for recalling the order dated 27.05.2024 has been dismissed.

2. Learned counsel for the petitioner has submitted that in the present case, there is no stay order in favour of the petitioner which fact is apparent from the zimni order dated 17.09.2021, wherein, it was noticed that the application under Order 39 Rule 1 and 2 read with Section 151 CPC filed by the petitioner had been dismissed. It is further submitted that on 12.12.2022, when PW-1 was present and his examination-in-chief was recorded, at that stage it was stated that there were chances of compromise and the matter was referred to the Mediation Centre and it was only on 12.05.2023 that the report had been submitted by the Mediation Centre that the matter could not be settled. It is further submitted that although the petitioner did not pursue the case with full diligence but in case the petitioner is not granted one effective opportunity to conclude his entire evidence, then, irreparable loss would be caused to him. It is stated that since the petitioner had not led any evidence, thus, even the evidence of the respondents was closed on 01.04.2025. It is submitted that the petitioner would have no objection in case the defendants are granted due opportunities to lead their evidence. It is stated that for the inconvenience caused to the respondents,



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the petitioner is ready to pay heavy costs.

3. Keeping in view the above-said facts and circumstances, this Court is of the opinion that the petitioner should be granted one effective opportunity to lead his entire evidence and accordingly, the present revision petition is partly allowed and the impugned orders dated 25.07.2024 (Annexure P-3) and order dated 17.01.2025 (Annexure P-6) to the extent that evidence of the petitioner has been closed by order are set aside and the petitioner is granted one effective opportunity to lead his entire evidence, subject to the costs of Rs.40,000/-, to be deposited by him on or before 11.05.2025 and on him depositing the said amount, the same would be released by the trial Court to the defendants in equal proportions i.e. Rs.20,000/- each. It would be open to the defendants to lead evidence in rebuttal to the evidence led by the petitioner and the order dated 01.04.2025 would not come in the way of the defendants in leading their evidence.

4. It is made clear that in case the abovesaid amount is not deposited by the petitioner on or before 11.05.2025, then the present revision petition would be liable to be dismissed.

5. It would be relevant to mention that notice of motion has not been issued to the respondents as issuance of any notice would further delay the proceedings in the suit and would also entail expenses for the respondents in order to defend the present petition. However, it would be open to the respondents to move an application for recalling the present order in case, any statement made before this Court is found to be



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false/incorrect.

April 30, 2025
naresh.k

**(VIKAS BAHL)
JUDGE**

Whether reasoned/speaking?	Yes
Whether reportable?	No