

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH****211****CR-2358-2025 (O&M)****Date of Decision : 22.05.2025**

Mamta Arora

....Petitioner

VERSUS

Sulender Singh

....Respondent

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Dharminder Singh Randhawa, Advocate for the petitioner.

Mr. Nandan Jindal, Advocate for the respondent.

ALKA SARIN, J. (Oral)

1. Present revision petition has been filed challenging the order dated 16.09.2024 whereby the evidence of the defendant-petitioner was closed by order.
2. Learned counsel for the defendant-petitioner would contend that cross-examination of defendant-petitioner remains and two more witnesses are required to be examined. Learned counsel for the defendant-petitioner would further contend that given two effective opportunities, the defendant-petitioner would lead her evidence at her own risk and responsibility. It is further the contention that the defendant-petitioner is willing to compensate the plaintiff-respondent by way of costs.
3. Learned counsel for the plaintiff-respondent would contend that the order closing evidence was passed on 16.09.2024 and present revision petition was filed in April 2025. It is further the contention that more than 25

adjournments have been taken by the defendant-petitioner and that these are only delaying tactics.

4. Heard.

5. In the present case the suit is for specific performance of agreement to sell dated 13.10.2020 alleged to have been executed by the defendant-petitioner in favour of the plaintiff-respondent qua a residential house. In case the defendant-petitioner is not permitted to lead her evidence, grave injustice would be caused to her. In order to do complete justice between the parties, this Court deems it appropriate to grant two effective opportunities to the defendant-petitioner to lead her evidence at her own risk and responsibility, subject to payment of ₹30,000/- as costs to be paid to the plaintiff-respondent, which shall be a condition precedent.

6. Disposed off. Pending applications, if any, also stand disposed off.

(ALKA SARIN)
JUDGE

22.05.2025
jk

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO