

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

265

CR-1567-2025 (O&M)**Date of Decision : 09.04.2025**

Pavittar Singh

....Petitioner

VERSUS

Rawail Singh

....Respondent

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Sandeep Arora, Advocate for the petitioner.

Mr. Saksham Malhotra, Advocate
Legal Aid Counsel for the respondent.**ALKA SARIN, J. (Oral)**

1. Present revision petition has been filed by the petitioner challenging the order dated 04.03.2025 whereby evidence of the plaintiff-petitioner has been closed by order.
2. Learned counsel for the plaintiff-petitioner would contend that given two effective opportunities the plaintiff-petitioner would conclude his evidence at his own risk and responsibility. Learned counsel for the plaintiff-petitioner would further contend that the plaintiff-petitioner is also willing to compensate the defendant-respondent by way of costs.
3. Learned Legal Aid Counsel appearing on behalf of the defendant-respondent would contend that the evidence was not concluded by the plaintiff-petitioner despite several opportunities having been granted and the impugned order dated 04.03.2025 cannot be faulted with.
4. Heard.

5. Present suit is for specific performance of agreement to sell dated 07.09.2018 qua land measuring 24½ Marlas situated in village Bhar Singh Pura, Tehsil Phillaur, District Jalandhar. The suit was filed on 31.12.2019. Thereafter, the defendant-respondent was proceeded against *ex parte*. Though issues were framed earlier, however, after the *ex parte* order was set aside qua the defendant-respondent, the issues were re-framed on 04.12.2024. No doubt the plaintiff-petitioner has been remiss in leading his evidence, however, in order to do complete justice between the parties, one opportunity is granted to the plaintiff-petitioner to conclude his evidence at his own risk and responsibility subject to payment of ₹40,000/- as costs to be paid to the defendant-respondent, which shall be a condition precedent.

6. Present revision petition is disposed off in the above terms. Pending applications, if any, also stand disposed off.

7. It is made clear that in case of non-payment of costs to the defendant-respondent, the present revision petition shall be deemed to having been dismissed. It is also clarified that any observation made herein shall not be treated as an expression of opinion on the merits of the case.

09.04.2025
jk

(ALKA SARIN)
JUDGE

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