



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(124)

CR-6358-2025

Date of Decision:-11.09.2025

SAMIM AHMED

... Petitioner

Versus

CHIMMAN LAL AND OTHERS

... Respondents

-:-

CORAM: HON'BLE MR. JUSTICE VIRINDER AGGARWAL

Present:- Mr. Balwan Singh, Advocate,
for the petitioner.

VIRINDER AGGARWAL, J. (Oral)

1. Petitioner has filed the present petition under Article 227 of the Constitution of India for setting aside the impugned order dated 08.05.2025, vide which, his evidence as plaintiff was closed by the Court below.
2. Perusal of the history sheet of the case shows that 16 effective opportunities has been granted to the petitioner, which included many last opportunities and number of times, cost was also imposed and petitioner was highly negligent and has failed to pay the cost of adjournment subjecting himself to closure of his evidence in view of the provisions of Section 35(B) of Code of Civil Procedure (CPC) but the Court was magnanimous enough to grant petitioner further more opportunities but even in spite of availing those many opportunities, petitioner failed to conclude the evidence. The conduct of the petitioner is highly negligent but



considering the interest of justice, the present petition is allowed and one last opportunity is awarded to the petitioner to conclude his evidence subject to payment of cost of Rs.30,000/- to be paid to the respondent. The petitioner would produce the evidence at his own responsibility and in case, *Dasti* summons are required, he can move to the Court for taking *Dasti* summons.

3. Pending application(s), if any, is/are disposed of accordingly.

(VIRINDER AGGARWAL)
JUDGE

11.09.2025
S. Pathania

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No