



137

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

CR-5571-2025

Date of Decision: August 20, 2025

HARPAL SINGH

.....Petitioner

Versus

STATE OF PUNJAB AND OTHERS

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Randeep Tanwar, Advocate for the petitioner.

HARKESH MANUJA, J. (ORAL)

By way of present petition filed under Article 227 of the Constitution of India, prayer has been made for setting aside the order dated 08.08.2025 passed by learned Addl. Sessions Judge, Rupnagar, whereby the evidence of the petitioner-applicant was closed by Court order.

[2]. Briefly stating, the petitioner filed an application/Reference petition under Right to fair Compensation and Rehabilitation and Resettlement Act, 2013 (hereinafter referred to as '2013 Act') for purposes of determination of the actual market value of the land situated in village Jindwari, Hadbast No.355, Tehsil Nangal, District Rupnagar which was acquired vide Award dated 21.07.2020 as well as for compensation on account of severance allowance along with all other benefits. Upon filing of written statements by respondent/defendant and framing of issues by learned Trial Court, the matter was adjourned for recording evidence of the parties. Vide order dated 23.05.2025, last opportunity was provided to the petitioner for leading the evidence, however, considering the delay committed on the part of the applicant-petitioner, his evidence was closed by Court order on 08.08.2025.

[3]. In the aforesaid facts and circumstances, learned counsel for the petitioner/defendant submits that the determination of suit involves substantial rights of the parties and in case the petitioner is not afforded an opportunity to substantiate his defence, he would suffer an

irreparable loss and injury, thus, prays for setting aside of the impugned order. Learned counsel also points out that though the petitioner moved an application for summoning of witnesses on 08.08.2025, however, the same was dismissed by the Court below.

[4]. I have heard learned counsel for the petitioner and gone through the paper book.

[5]. It may be pointed out here that no notice is required to be issued to the respondent at this stage as it may further delay the disposal of the suit filed at his instance and even otherwise burden him towards unnecessary litigation expenses.

[6]. Apparently there did not appear to be any jurisdictional error with the discretion exercised by the Trial Court while passing the impugned order, however purely in the interest of justice, two effective opportunities are granted to the petitioner considering the fact that dispute relates to a reference preferred under Section 64 of 2013 Act seeking enhancement of compensation and in case, he is not afforded to lead evidence, the petitioner shall not be able to put forth his claim in an effective manner and a serious prejudice would be caused to his rights. The next date of hearing i.e. 12.09.2025 fixed before the Trial Court shall be treated as first opportunity to the petitioner/defendant to lead his evidence and the next chance/date shall be fixed by the Trial Court.

[7]. In view of above, the present petition is allowed and impugned order dated 08.08.2025 passed by learned Additional District Judge, Rupnagar is hereby set aside.

20.08.2025

Tejwinder

**(HARKESH MANUJA)
JUDGE**

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>