



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

124

CR-4878-2025(O&M)  
Date of decision: 29.07.2025

MANPREET KAUR

...Petitioner

Versus

KANWALJIT KAUR AND ANOTHER

...Respondents

**CORAM: HON'BLE MR. JUSTICE VIKAS BAHL**

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Present: Mr. Prateek Sodhi, Advocate  
for the petitioner.

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**VIKAS BAHL, J. (ORAL)**

1. This is a Civil Revision petition filed for setting aside the order dated 19.05.2025 (Annexure P-8) passed by the trial Court whereby the application filed by the petitioner for recalling of the order dated 08.10.2024 (Annexure P-5) has been dismissed. A further prayer has been made for setting aside the order dated 08.10.2024 (Annexure P-5) by which the oral evidence of the petitioner has been closed.

2. Learned counsel for the petitioner submits that in the present case, the respondent No.1 had filed a suit for permanent injunction restraining the defendants from interfering in the peaceful possession of plot measuring 14 marlas. It is submitted that the trial Court vide order dated 17.10.2023 had granted injunction in favour of plaintiff which is continuing till date and thus the delay in the proceedings would primarily prejudice the present petitioner. It is further argued that the petitioner had moved an application on 02.07.2024 for permission to lead secondary evidence, and the said application was allowed on 01.08.2024,



and thereafter the petitioner had examined DW-1 Paramjit Singh, and on the date the first impugned order dated 08.10.2024 was passed, even DW-2 was present and his examination in chief was completed and the case was adjourned for cross-examination of the said witness, but while adjourning the case, further oral evidence of the petitioner-defendant was closed by order. It is submitted that immediately thereafter, the petitioner had moved an application under section 151 CPC for recalling of the said order, which was also dismissed on 19.05.2025.

3. Learned counsel for the petitioner has submitted that the petitioner is only to examine two more witnesses which includes the present petitioner (defendant No.2) and DW-2 for cross-examination, and the date now fixed before the trial Court is 01.08.2025, and has submitted that in case one effective opportunity is not granted to the petitioner to examine the said witnesses, then irreparable loss would be caused to the petitioner. It is further submitted that for the inconvenience caused to respondent No.1, the petitioner is ready to pay reasonable compensation/costs.

4. Keeping in view the above said facts and circumstances, this Court is of the opinion that one last effective opportunity should be granted to the petitioner to lead her entire evidence including presenting DW-2 for cross-examination, and accordingly, the present revision petition is partly allowed, and the impugned orders dated 08.10.2024 as well as order dated 19.05.2025 vide which the evidence of the petitioner was partly closed, are set aside and the petitioner is granted one last effective opportunity to complete her entire oral and documentary evidence. The same would be subject to the petitioner depositing costs of Rs.15,000/- on or before 01.08.2025 which will be released by the trial Court to respondent No.1.



5. It would be relevant to mention that notice of motion has not been issued to respondent No.1 as issuance of any notice would further delay the proceedings in the suit and would also entail expenses for respondent No.1 in order to defend the present petition. However, it would be open to respondent No.1 to move an application for recalling the present order in case, any statement made before this Court is found to be false/incorrect.

**(VIKAS BAHL)**  
**JUDGE**

**29.07.2025**  
*mohit goyal*

Whether speaking/reasoned : Yes / No  
Whether reportable : Yes / No