



IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

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CR-7255-2025

Date of Decision:13.10.2025

Amarjit Singh (since deceased) thr LRs and another .....Petitioners

Vs.

Balwinder Singh and others .....Respondents

**CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA**

Present:- Mr. Munish Gupta, Advocate  
for the petitioners.

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**DEEPAK GUPTA, J. (ORAL)**

Petitioners herein are the plaintiffs before learned Additional Civil Judge (Senior Division), Patiala in civil suit bearing No.CS-1824-2017 titled as "Amarjit Singh versus Balwinder Singh". They are aggrieved by the order dated 16.07.2025 (Annexure P-6) passed by the trial Court, whereby their evidence was closed. They further assail the order dated 19.09.2025 (Annexure P-11), whereby their application to recall the order dated 16.07.2025 was dismissed.

2. As the perusal of the file would reveal that case pertains to the year 2017 and issues were settled wayback on 20.09.2022. As submitted by learned counsel for the petitioners himself that petitioner availed as many as 17 opportunities before their evidence was closed on 16.07.2025.

3. Learned counsel for the petitioners submits that valuable rights of the petitioners are involved and that only two witnesses are left to be examined, who are the Clerk to the Office of Sub-Registrar; and handwriting expert. Learned counsel for the petitioners furthers submits that two opportunities are required as on one of the dates, the handwriting expert

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shall take the necessary photographs from the court file of the relevant documents and then submit his report on next date of hearing.

4. Although considering the long pendency of the suit before the trial Court and the conduct of the petitioners as noted above, this Court does not find any illegality or perversity in the impugned order and so, petitioners do not deserve to be granted any further opportunity but considering that valuable rights of the petitioners are involved in the immovable property as contended by learned counsel, the trial court is directed to provide two opportunities to the petitioners to conclude their evidence. However it is subject to ₹1,00,000/- as cost payable by the petitioners to the respondents-defendants by way of a Demand Draft.

5. The trial Court shall fix a date of maximum three weeks within which the petitioners have to pay the demand draft of ₹1,00,000/- in the trial Court payable to the contesting defendants-respondents in equal proportion. Only after payment of the said Demand Draft, the trial Court shall grant two opportunities to the petitioners to produce their evidence. It is made clear that in case, this direction is not complied with by the petitioners, this order will have no effect and the present petition will be deemed to have been dismissed.

6. Since this order has been passed without issuing any notice to the respondents, in order to avoid any delay, therefore respondents will be at liberty to approach this Court, in case they feel aggrieved.

**(DEEPAK GUPTA)**  
**JUDGE**

**October 13, 2025**

Neetika Tuteja

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No