



CR No. 5173 of 2025 (O&M) -1-

123 IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CR No. 5173 of 2025 (O&M)  
DATE OF DECISION: 11.08.2025

GURSEWAK SINGH

.....PETITIONER

Vs.

BALWINDER KAUR

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AMARINDER SINGH GREWAL

Present: Mr. Imaan Singh Khara & Mr. Gurmej Singh, Advocates,  
for the petitioner.

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**AMARINDER SINGH GREWAL, J.**

1. Prayer in the present Civil Revision Petition, filed under Article 227 of the Constitution of India, is for setting aside the impugned order dated 08.07.2025, passed by the learned Principal Judge, Family Court, Sangrur, whereby the evidence of the petitioner was closed in a petition bearing No. HMA/535/2022, titled *Gursewak Singh vs. Balwinder Kaur*.

2. I have heard learned counsel for the revisionist-petitioner and perused the paper-book.

3. The present revisionist-petitioner, Gursewak Singh, had filed a petition under Section 13 of the Hindu Marriage Act, 1955 (for short, 'the Act of 1955') against the respondent, Balwinder Kaur. The written statement was filed by the respondent and thereafter, the case was fixed for the evidence of the petitioner. On 08.07.2025, no evidence was present and accordingly, the learned Principal Judge, Family Court, Sangrur, closed the



evidence of the petitioner “by order” as the petitioner had availed numerous opportunities.

4. Counsel for the revisionist-petitioner submitted that the petitioner had filed an application for summoning of witnesses, namely, Police Official OSI Branch, Senior Superintendent of Police, Mansa, and Navraj Kaur, Principal, Government Senior Secondary School, Mehlan. On 29.05.2025, the witnesses were present but could not be examined due to a “no work” resolution passed by the Bar. Thereafter, the case was adjourned to 03.07.2025, when the proxy counsel appeared on behalf of the petitioner and the matter was adjourned to 08.07.2025. On the said date, the evidence was closed “by order.”

5. It was submitted that it was incumbent upon the learned Principal Judge, Family Court, to have summoned the said witnesses, as gross prejudice has been caused to the petitioner by their non-examination.

6. In view of the order proposed to be passed, notice is not being issued to the respondent as it would delay the proceedings besides entailing additional expense to the respondent.

7. This Court agrees with the submissions of the revisionist-petitioner. As discussed above, the aforementioned witnesses were present on 29.05.2025 but could not be examined due to the “no work” resolution. Since valuable rights of the revisionist-petitioner are involved in the adjudication of the petition under Section 13 of the Act of 1955, in the interest of justice, the present petition is allowed. The revisionist-petitioner is directed to appear on the date fixed before the learned lower Court, which shall summon the aforementioned witnesses by giving a short date.



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8. As the present revision petition is being allowed in the absence of the respondent, liberty is granted to her to seek recalling of this order, if valid grounds for the same are made out.

9. Pending miscellaneous application(s), if any, shall also stand disposed of.

**AUGUST 11, 2025**  
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**(AMARINDER SINGH GREWAL)**  
**JUDGE**

Whether Speaking	Yes
Whether Reportable	No