



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

\*\*\*\*

**133**

**CR-6739-2025**

**Date of Decision.:22.09.2025**

**Mohan Lal and Others**

**.....Petitioners**

**Vs.**

**Pankaj Kumar and Others**

**.....Respondents**

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

Present:- Mr. Rakesh Kumar Choudhary, Advocate  
for the petitioners.

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

Petitioners herein are defendants in civil suit bearing CIS No.CS-1324-2021 titled as "Pankaj Kumar and Others vs. Mohan Lal and Others" pending before learned Civil Judge (Junior Division), Gurugram. They are aggrieved by the order dated 05.08.2025 (*Annexure P-6*), whereby their application for additional evidence has been declined.

2. Suit was filed for partition of the jointly owned property and plaintiffs had asserted their ownership and possession over a portion, acquired through registered sale deeds and that based thereon, they had become co-owners with the defendants. Suit was contested.

3. After conclusion of the evidence by the plaintiffs, the defendants i.e. petitioners herein concluded their evidence on 03.01.2025 without reserving any right to lead further evidence. However later on, they moved an application for additional evidence (*Annexure P-4*) stating that they wanted to examine three more witnesses. It was pleaded that a witness was required to prove, in whose presence transaction had been

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made between the parties. Other witness sought to be examined was pertaining to financial transaction and registration of sale deed, and third witness pertains to witness of all the deals between the parties. However said applications have been declined.

4. Assailing the order, it is contended by learned counsel that testimony of the three witnesses sought to be examined in additional evidence was for just adjudication of the dispute.

5. There is no merit in the contention.

6. Defendants- petitioners on their own had closed the evidence on 03.01.2025. No reason whatsoever is mentioned in the application (Annexure P-4) as to why the witnesses proposed to be examined in additional evidence, could not be examined earlier. As such, the trial Court did not commit any error in rejecting the application.

7. In absence of any illegality or perversity in the impugned order, the present petition is found to be devoid of any merit and so, the same is hereby dismissed.

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

**September 22, 2025**

Neetika Tuteja

Whether Speaking/reasoned Yes/No

Whether Reportable Yes/No