



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

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Civil Revision No.2755 of 2025 (O & M)

Date of decision :-07.05.2025

Suresh

.....Petitioner

Versus

Ram Kishan and others

.....Respondents

CORAM:- HON'BLE MS. JUSTICE NIDHI GUPTA

Present:- Mr. Piyush Aggarwal, Advocate
for the petitioner.

NIDHI GUPTA J. (Oral)

Prayer in this petition is for setting aside the order dated 16.4.2025 (Annexure P-1) passed by the learned Civil Judge (Jr. Divn.), Jhajjar in Civil Suit No.417 of 2021 titled as "Suresh vs. Ram Kishan and others" whereby the evidence of the petitioner/plaintiff has been closed by Court order.

It is *inter alia* submitted by learned counsel for the petitioner/plaintiff that no doubt the petitioner has been granted five opportunities for leading his evidence. It is also submitted that vide zimni order dated 13.11.2024 (Annexure P-7) last opportunity was granted to the petitioner to conclude his evidence. It is submitted that although the petitioner/plaintiff was present before the learned trial Court on each and every date, however, was unable to conclude his evidence. As such, vide impugned order dated 16.4.2025 (Annexure P-1) evidence of the petitioner/plaintiff was closed by Court order.



Learned counsel submits that the petitioner would suffer irreparable loss if the impugned order dated 16.4.2025 (Annexure P-1) is not set aside. At the very outset, learned counsel submits that only one effective opportunity may be granted to the petitioner herein to conclude his evidence subject to payment of some reasonable costs, as grave injustice will be caused to him if he is not permitted to do so.

After hearing learned counsel for the petitioner, issuance of notice of motion is dispensed with at this stage, as it will cause further delay in disposal of the case. Accordingly, keeping in view the above facts as canvassed by learned Counsel for the petitioner, this petition is allowed and impugned order dated 16.4.2025 (Annexure P-1) is set aside. The learned Court below is directed to grant one effective opportunity to enable the petitioner herein to conclude his evidence, however subject to payment of Rs.25,000/- as costs to be paid by the petitioner to the respondents herein (defendants therein).

Disposed of as above.

Pending application(s), if any, stands disposed of.

May 07, 2025

Vijay Asija

(NIDHI GUPTA)
JUDGE

Whether speaking/reasoned Yes / No

Whether Reportable Yes / No