



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CR-4724-2025 (O&M)

Date of Decision: September 15, 2025

MAHAVIR GUPTA

.....Petitioner

Vs.

SHREE AGGARWAL DHARAMSHALA (REGD.)

.....Respondent

CORAM: HON'BLE MRS. JUSTICE SUDEEPTI SHARMA

Present: Mr. Aniket Singh Chauhan, Advocate
for the petitioner.

SUDEEPTI SHARMA J. (Oral)

1. Present petition has been preferred by the petitioner for setting aside order dated 22.05.2025 passed by learned Addl. Civil Judge (Sr. Division), Karnal whereby evidence of the respondent was closed and cross examination of PW2 was made NIL.
2. Learned counsel for the petitioner contends that two prosecution witnesses were to be examined and on 22.05.2025, PW2 could not be cross examined due to personal reason and unavoidable circumstances.
3. I have heard learned counsel for the petitioner and perused the whole file of this case with his able assistance.
4. A perusal of the file shows that the civil suit pertains to the year 2018 and it was fixed for prosecution witnesses since 18.07.2023 and cross examination was deferred on various hearings. It was being noted down in the order dated 13.05.2025 passed by learned Rent Controller, Karnal that the delay in cross examination is at the end of the petitioner. Further the matter was adjourned to 21.05.2025 for cross examination. On 21.05.2025, before lunch two prosecution witnesses were present and were ready for cross examination. It was further noted



down in the order dated 21.05.2025 that it was clarified in the last order that the witnesses would be cross examined. Despite the fact that witnesses were present, counsel for the petitioner was not present. After lunch, the file was again taken up and counsel for the petitioner appeared at 3 P.M. and cross examined one witness. Thereafter, he sought adjournment for one date. The matter was then adjourned to 22.05.2025 for cross examination of PW2 and it was clarified that on 22.05.2025 cross examination of PW2 would be done in all circumstances. On 22.05.2025, PW2 was present for cross examination. The case was called several times but none appeared on behalf of the petitioner. After lunch, proxy counsel for the petitioner appeared at 3 P.M and sought adjournment without stating any reasons. It was due to this reason, the impugned order dated 22.05.2025 was passed by learned Addl. Civil Judge (Sr. Division), Karnal by stating therein that PW2 was not cross examined despite sufficient number of opportunities granted to the petitioner.

5. In view of the above, I do not find any infirmity in order dated 22.05.2025 passed by learned Addl. Civil Judge (Sr. Division), Karnal.

6. Accordingly, the present revision petition is dismissed being devoid of any merit.

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

September 15, 2025

Gaurav Arora

**(SUDEEPTI SHARMA)
JUDGE**

Whether speaking/non-speaking : Yes/No

Whether reportable : Yes/No