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

**CR-1705-2025  
Date of decision:-21.03.2025**

Sunita and another

...Petitioners

Versus

Xen (OP) Division, UHBVN, Bahadurgarh and others

...Respondents

**CORAM : HON'BLE MR. JUSTICE SUVIR SEHGAL**

**Present** : Mr. Ivneet Singh Pabla, Advocate  
for the petitioners.

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**SUVIR SEHGAL, J.(ORAL)**

1. Instant revision petition has been filed assailing order dated 18.01.2025, Annexure P11, passed by the learned Civil Judge (Jr. Divn.), Bahadurgarh whereby evidence of the petitioners/plaintiffs has been closed by order.
2. I have heard counsel for the petitioners and his submissions have been considered.
3. Given the nature of order being passed, this Court does not deem it necessary to call upon the respondents.
4. Plaintiffs filed a suit for permanent injunction restraining the defendants, their agents etc. from recovering the amount under



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notice/bill dated 03.05.2019 issued for an amount of Rs.11,93,103/- and for restraining them from initiating any proceedings pursuant thereto. Upon being served, suit is being contested by the defendants and on the basis of the pleadings of the parties, Trial Court framed issues on 18.01.2024, Annexure P1. Suit was adjourned to enable the plaintiffs to produce evidence in support of their assertion. From 16.02.2024 till the passing of the impugned order on 18.01.2025, eight opportunities were availed by the plaintiffs. However, only one witness i.e. plaintiff No.1 appeared before the Trial Court and tendered in evidence his affidavit Ex.PW1/A on 23.09.2024, but his cross-examination was deferred. Plaintiffs were given last opportunity to produce the entire evidence at their own risk and responsibility and even cost was imposed. However, on 18.01.2025 when the impugned order was passed, even plaintiff No.1 did not appear for the cross-examination.

5. There is no doubt that the petitioners/plaintiffs have been lax in producing evidence and despite numerous opportunities, only one witness was examined in chief. Plaintiffs have made a reference to the medical certificate, Annexure P10, to submit that on 16.01.2025, plaintiff No.1 was advised bed rest and he had high Blood Pressure, preventing him from appearing before the Court on the day impugned order was passed. There seems to be justification for the non-appearance of plaintiff No.1 on 18.01.2025. Considering that in case the plaintiffs are not given an opportunity to produce their entire evidence, their cause is likely to suffer, this Court is of the view that one opportunity deserves to be granted to them.



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6. Accordingly, petition is disposed off. Impugned order dated 18.01.2025, Annexure P11, is set aside. Petitioners/plaintiffs are given one effective opportunity to lead their entire evidence at their own responsibility subject to deposit of cost of Rs.20,000/- with the Spinal Rehabilitation Centre, Chandigarh, Plot No.1, Madhya Marg, Sector 28-A, Chandigarh, Account No.9611917899, IFSC Code:- KKBK0004201, Kotak Mahindra Bank, Sector 27-D, Chandigarh. Deposit of cost shall be a condition precedent to the grant of opportunity to the petitioners. Petitioners shall appear before the Trial Court on 21.04.2025 and the Trial Court would fix a date to enable the petitioners to produce their entire evidence at their own responsibility.

**(SUVIR SEHGAL)  
JUDGE**

**21.03.2005**

**Brij**

**Whether reasoned/speaking : Yes/No**

**Whether reportable : Yes/No**