



312-1

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CR-2290-2022 (O&M)

Date of Decision : 18.08.2025

Mukhtiar Kaur

... Petitioner

Versus

Kulwant Singh

... Respondent

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Dinesh Sharma, Advocate for the petitioner.

Mr. Aayush Gupta, Advocate for the respondent.

ALKA SARIN, J. (Oral)

1. The challenge in the present revision petition is to the order dated 13.05.2022 whereby the evidence of the defendant-petitioner has been closed by order despite numerous opportunities.

2. Learned counsel for the defendant-petitioner would contend that the evidence could not be led due to the fact that a connected petition being CR-6737-2018 had been filed challenging the order whereby the application filed by the defendant-petitioner for examining the handwriting expert had been dismissed. Learned counsel for the defendant-petitioner would further contend that given two effective opportunities, the defendant-petitioner would conclude her evidence.

3. *Per contra* learned counsel for the plaintiff-respondent would contend that despite numerous opportunities the defendant-petitioner failed to lead her evidence and therefore no fault can be found with the impugned order dated 13.05.2022.

4 Heard.

5. In the present case the defendant-petitioner while leading her evidence had filed an application for examining a handwriting expert which application was dismissed vide order dated 05.09.2018. The said order was challenged by filing CR-6737-2018, which has been disposed off vide order of even date allowing the revision petition. Learned counsel for the defendant-petitioner has contended that due to the pendency of CR-6737-2018, the evidence was not led. He has however stated that given two effective opportunities, the defendant-petitioner would lead her evidence.

6. In view of the above and keeping in view the nature of the suit that is for specific performance of agreement to sell dated 18.11.2012 and to do complete justice between the parties, the order dated 13.05.2022 is set aside. The defendant-petitioner shall be given two effective opportunities to conclude her evidence.

7. Present revision petition is disposed of in the above terms. Pending applications, if any, also stand disposed off.

8. It is made clear that any observation made herein shall not be treated as an opinion on the merits of the case.

18.08.2025

jk

(ALKA SARIN)
JUDGE

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO