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

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Date of decision:08.05.2025

RAVINDER KUMAR

...PETITIONER

VS.

MUKESH DEVI AND ANOTHER

...RESPONDENTS

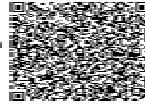
CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present: Mr. Ajay Jain, Advocate
for the petitioner.

SUVIR SEHGAL, J.

1. By way of present revision petition, petitioner/plaintiff No.2 has assailed order dated 09.01.2025 passed by learned Civil Judge (Junior Division), Kosli, whereby evidence of the plaintiffs has been closed by Court order.

2. Mr. Jain, counsel for the petitioner submits that the plaintiffs filed a suit for permanent injunction on 22.03.2022 claiming that he had agreed to purchase land vide agreement dated 10.11.2021 from the defendant, who is a co-owner in possession in the agricultural suit land. He states that the suit is being contested by the defendant and on the basis of the pleadings of the parties, Trial Court framed issues on 22.08.2022. He



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submits that proceedings were deferred for the evidence of the plaintiffs, however, the plaintiffs produced only one witness, despite grant of repeated opportunities. By making a reference to application dated 14.07.2023, Annexure P-2, he submits that the plaintiffs had deposited the requisite charges for summoning of two witnesses, who had appeared before the Trial Court as is reflected from order dated 18.05.2024, but they could not be examined on the request of counsel for the defendant. He submits that one effective opportunity be given to the plaintiffs to produce their entire evidence at their own responsibility.

3. Having heard counsel for the petitioner, this Court does not intend to issue notice to the respondents in view of the nature of order being passed.

4. Concededly, plaintiffs have been remiss in leading evidence and have availed eleven opportunities and have examined only one witness. Still, this Court feels that in the interest of justice so that the cause of the plaintiffs does not suffer, they deserve to be granted one effective opportunity to produce their entire evidence at their own cost and responsibility.

5. Accordingly, revision petition is allowed. Impugned order dated 09.01.2025 is set aside. Plaintiffs are granted one effective opportunity to lead their entire evidence, subject to deposit of cost of Rs.10,000/- with Day Care Centre for Elderly Disabled in home for Old & Destitute People, Sector-15, Chandigarh, being run by Chandigarh Scheduled Castes, Backward Classes and Minorities Financial & Development Corporation, Account No.0537010195737, IFSC Code:- PUNB0008700, Punjab National Bank Sector 17-B, Chandigarh.



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6. Deposit of cost shall be a condition precedent to the grant of opportunity.

7. Plaintiffs shall appear before the Trial Court on 09.05.2025 and the Trial Court would fix a date to enable them to produce their entire evidence at their own cost and responsibility.

08.05.2025

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(SUVIR SEHGAL)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No