



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

129

Civil Revision No.4762 of 2025 (O & M)

Date of decision :-28.07.2025**Kuldeep Singh****.....Petitioner****Versus****Pavittar Singh and others****.....Respondents****CORAM:- HON'BLE MS. JUSTICE NIDHI GUPTA**

Present:- Mr. A.S. Barnala, Advocate
for the petitioner.

NIDHI GUPTA J. (Oral)

Prayer in this petition is for setting aside the impugned order dated 10.7.2025 passed by the learned Civil Judge (Jr. Divn.), Kharar, in Civil Suit No.1001 of 2019, titled as 'Kuldeep Singh vs. Pavittar Singh', vide which the application moved by the petitioner/plaintiff for recalling the order dated 31.5.2025 whereby evidence of the petitioner/plaintiff was closed by Court order, has been dismissed ostensibly on the ground that the petitioner has commenced his evidence on 24.2.2020 and has therefore taken sufficient opportunities and yet failed to conclude his entire evidence.

Learned counsel for the petitioner points out that it has been clearly recorded in the impugned order that the examination-in-chief of plaintiff No.1 has been concluded on 10.7.2024. Learned counsel further refers to the zimni orders passed thereafter to submit that perusal thereof shows that the case was primarily adjourned on request of learned counsel for the defendant. It is contended that accordingly the adjournment subsequent to 10.7.2024 were being taken by the defendant and not by the



petitioner; and therefore, the evidence of the petitioner could not have been closed.

Learned counsel submits that the petitioner would suffer irreparable loss if the impugned order dated 10.7.2025 for recalling the order dated 31.5.2025 is not set aside. At the very outset, learned counsel submits that one effective opportunity may be granted to the petitioner herein to conclude cross-examination upon PW1 and PW2, as grave injustice will be caused to him if he is not permitted to do so. Learned counsel further informs that the next date of hearing before the learned trial Court is for tomorrow i.e. 29.7.2025.

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 orders dated 10.7.2025 and the order dated 31.5.2025 are set aside. The learned Court below is directed to grant one effective opportunity to enable the petitioner herein to conclude cross-examination upon PW1 and PW2.

Disposed of as above.

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

July 28, 2025
Vijay Asija

(NIDHI GUPTA)
JUDGE

Whether speaking/reasoned Yes / No
Whether Reportable Yes / No