

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

2025:PHHC:106496

**CR-5454-2025****Date of decision: 18.08.2025****DHARAM PAL****..Petitioner****Versus****KRISHAN KUMAR AND OTHERS****..Respondents****CORAM: HON'BLE MRS. JUSTICE SUDEEPTI SHARMA**

Present: Mr. Nikhil Mittal, Advocate  
for the petitioner.

**SUDEEPTI SHARMA, J. (Oral)**

1. Present revision petition has been filed under Article 227 of the Constitution of India for setting aside the order dated 15.07.2025 passed by the Ld. Civil Judge (Junior Division), Jagadhri, whereby the application of the petitioner filed under Section 151 of the Code of Civil Procedure, 1908 for carrying out modification in interim order dated 14.11.2024 and to allow the petitioner to exhibit the documents, which are already on the file was dismissed.

2. Learned counsel for the petitioner contends that on 14.11.2024, it was contended by the petitioner, which is noted down in the order itself that witnesses were unwell due to which they could not be examined.

3. Thereafter, he moved an application for carrying out modification in the interim order dated 14.11.2024 and without considering the difficulty that the witnesses were not well, learned Civil Judge (Junior Division), Jagadhri, dismissed the application filed by the petitioner.

4. He further contends that if one last opportunity is not granted to him to examine the witnesses that will affect the suit filed by the petitioner,



therefore, he prays that one last opportunity be granted to the petitioner to examine witnesses.

5. I have heard learned counsel for the petitioner and perused the whole file of the case.

6. A perusal of the file shows that there was no intentional lapse on the part of the petitioner to examine the witnesses. Though the petitioner was granted 12 effective opportunities to lead evidence from the year 2018 till 2025, whereas justice demands that one last effective opportunity is required to be granted to the petitioner to examine the witnesses since the witnesses were not well and adjournment was sought.

7. In view of the above, revision petition is allowed. Order dated 14.11.2024 is set aside to the extent of closing the evidence of the petitioner and order dated 15.07.2025 passed by the Ld. Civil Judge (Junior Division), Jagadhri, is set aside. The next date before the Ld. Civil Judge (Junior Division), Jagadhri is stated to be 18.08.2025 i.e. today, therefore on the next date fixed by the trial Court, learned Civil Judge (Junior Division), Jagadhri is directed to grant one last effective opportunity to the petitioner to examine witnesses, subject to payment of Rs.5,000/- as costs to be deposited by the petitioner with the Punjab and Haryana High Court Employees Welfare Association, Account No.37167209613, IFSC Code: SBIN0050306, State Bank of India, High Court Branch, Chandigarh.

**August 18<sup>th</sup>, 2025**

*Ayub*

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

**(SUDEEPTI SHARMA)**  
**JUDGE**