

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH****211****CR-1069-2025 (O&M)****Date of Decision : 07.05.2025**

Khazan Singh

....Petitioner

VERSUS

Gurdwara Akal Darbar Welfare Society through its
authorized persons

....Respondents

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Gurmeet Singh Saini, Advocate for the petitioner.

Mr. G.S. Jagpal, Advocate for the respondents.

ALKA SARIN, J. (Oral)

1. Present revision petition has been filed challenging the order dated 03.02.2025 whereby the evidence of the defendant-petitioner has been closed.
2. Learned counsel for the defendant-petitioner would contend that four witnesses need to be examined by the defendant-petitioner including the defendant-petitioner himself and that given two effective opportunities the defendant-petitioner would produce his evidence and at the first instance the defendant-petitioner would lead his evidence as per the provisions of Order 18 Rule 3A of the Code of Civil Procedure, 1908. One of the witnesses is Baljinder Kumar, Advocate, Notary Public, Phillaur, who is a summoned witness and would be required to be summoned through the agency of the Court.
3. *Per contra* learned counsel for the plaintiff-respondents would contend that despite numerous opportunities the defendant-petitioner is not

leading his evidence and infact the defendant-petitioner himself has not stepped into the witness-box till date.

4. Heard.

5. In the present case, the defendant-petitioner is one of the witnesses who is to be examined. As per Order 18 Rule 3A CPC, a party who himself wishes to appear as a witness shall appear before other witnesses. In view thereof, the defendant-petitioner himself would appear as a witness at the first instance and would also lead his remaining evidence for which two effective opportunities are granted to the defendant-petitioner. Witness – Baljinder Kumar, Advocate, Notary Public, Phillaur would be summoned through the agency of the Court as he is a summoned witness for which the Court shall take all the requisite steps.

6. In view of the above, present revision petition is allowed subject to payment of ₹30,000/- as costs to be paid to the plaintiff-respondents, which shall be a condition precedent. The Trial Court is requested not to grant any unnecessary adjournment to the counsel for the defendant-petitioner.

7. Disposed off. Pending applications, if any, also stand disposed off.

07.05.2025

jk

(ALKA SARIN)
JUDGE

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