



CR No. 6153 of 2025 (O&M) -1-

111 IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CR No. 6153 of 2025 (O&M)  
DATE OF DECISION: 05.09.2025

WAZIR SINGH

.....PETITIONER

Vs.

NANKI DEVI

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AMARINDER SINGH GREWAL

Present: Mr. Ankit Kumar Bhinchar, Advocate,  
for the petitioner.

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AMARINDER SINGH GREWAL, J.

CM No. 17877-CII-2025

Application for exemption is allowed, as prayed for.

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1. Prayer in the present Civil Revision Petition filed under Article 227 of the Constitution of India is for setting aside the impugned order dated 28.08.2025 (Annexure P-3), passed by the learned Civil Judge (Senior Division), Hisar, whereby the application filed by the respondent-plaintiff has been allowed and the respondent-plaintiff has been permitted to examine the concerned officials from The Hisar Central Cooperative Bank, Anaj Mandi, Hisar, as well as The Sarva Haryana Gramin Bank, Auto Market, Hisar, on 08.09.2025, at her own responsibility.

2. Brief facts of the case are that the respondent, Nanki Devi, wife of Bachan Singh, had filed a suit for possession by way of specific performance of agreement dated 07.07.2015, executed by the petitioner-



defendant in favour of the respondent-plaintiff, in respect of the suit property for a sale consideration of ₹14,00,000/-, with a direction to the petitioner-defendant to execute and get registered a sale deed in terms of the aforesaid agreement in favour of the respondent-plaintiff after receiving the balance sale consideration and getting the land redeemed from his bank, and also for permanent injunction.

2.1 The written statement was filed. Issues were framed. The respondent-plaintiff led her evidence. Further, the petitioner-defendant also examined himself before the learned lower Court. Thereafter, an application for examining the above-said witnesses in rebuttal was filed by the respondent-plaintiff, Nanki Devi. The reply was filed by the petitioner-defendant and after appreciating the submissions, the learned Additional Civil Judge (Senior Division), Hisar, allowed the application of the respondent-plaintiff to examine the concerned officials from The Hisar Central Cooperative Bank, Anaj Mandi, Hisar, as well as The Sarva Haryana Gramin Bank, Auto Market, Hisar, on 08.09.2025, at her own responsibility.

3. Learned counsel for the petitioner has submitted that the order dated 28.08.2025 (Annexure P-3), whereby the learned lower Court allowed the application of the respondent-plaintiff, is totally against the provisions of law, as the respondent-plaintiff had already closed her evidence. It is argued that the application was moved simply to protract the proceedings.

4. It is further submitted that when the petitioner-defendant had closed his evidence, the learned lower Court should not have allowed the



application for examining the above-said witnesses. A prayer was, thus, made that the order dated 28.08.2025 (Annexure P-3), passed by the learned Civil Judge (Senior Division), Hisar, be set aside and the application for examining the above-said witnesses filed by the respondent-plaintiff be dismissed.

5. I have heard learned counsel for the revisionist-petitioner and perused the paper-book.

6. In view of the order proposed to be passed, notice is not being issued to the respondent, as it would delay the proceedings besides entailing additional expense to the respondent.

7. After hearing the submissions and considering the matter, it is evident that the petitioner-defendant, Wazir Singh, stepped into the witness box as DW-1 and was cross-examined. Further, in the application, it stands categorically stated that when the petitioner-defendant, Wazir Singh, was examined, he stated that he could produce the document regarding clearance of the loan amount on the next date of hearing, but he failed to do so. At the same time, he admitted that he had availed loan facility upon the land in question twice, from the concerned Banks, namely The Hisar Central Cooperative Bank, Anaj Mandi, Hisar, as well as The Sarva Haryana Gramin Bank, Auto Market, Hisar. When the petitioner-defendant was directed to produce the said documents regarding clearance, as in the main suit also the prayer was that the petitioner-defendant would get the land redeemed from the bank, the documents regarding clearance were never produced before the learned lower Court. As such, this Court feels that the respondent-plaintiff had no option but to file the application for



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examining the above-said witnesses. Moreover, this Court is of the view that the Court can arrive at a proper adjudication of the case only when complete and proper evidence is brought on record.

8. Thus, this Court finds no merit in the prayer for setting aside the order dated 28.08.2025 (Annexure P-3), passed by the learned Civil Judge (Senior Division), Hisar.

9. Finding no illegality in the order dated 28.08.2025 (Annexure P-3), the present revision petition, being devoid of merit, is accordingly dismissed.

10. Pending miscellaneous application(s), if any, shall also stand disposed of.

**SEPTEMBER 05, 2025**  
nitin

**(AMARINDER SINGH GREWAL)**  
**JUDGE**

Whether Speaking	Yes
Whether Reportable	No