



CM-16496-CII-2025 in/and  
CR-5324-2025

-1-

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

(117)

CM-16496-CII-2025 in/and  
CR-5324-2025

Date of Decision: - 29.08.2025

**Bikarjeet Singh (now deceased) through his LRs**

....Petitioner

**Versus**

**Krishan Kumar and others**

.....Respondents

**CORAM : HON'BLE MR. JUSTICE VIKAS BAHL**

Present:- Mr. Robin Singh, Advocate,  
for the petitioner.

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**VIKAS BAHL, J. (ORAL)**

**CM-16496-CII-2025**

1. Present application has been filed under Section 151 CPC for revival of the above-said mentioned petition.

2. For the reasons mentioned in the application, which is duly supported by an affidavit, the same is allowed. The order dated 11.08.2025 is recalled and the main petition is restored to its original number.

**CR-5324-2025**

1. Present civil revision petition has been filed under Article 227 of the Constitution of India for setting aside the impugned order dated 25.07.2025 (Annexure P-7) passed by the Rent Controller, Barnala



**CM-16496-CII-2025 in/and  
CR-5324-2025**

**-2-**

whereby the evidence of the petitioner has been closed.

2. Learned counsel for the petitioner has submitted that the petitioner is the landlord and had filed an eviction petition with respect to the premises in question and thus, the delay in the proceedings, if any, would primarily prejudice the petitioner. It is further submitted that five witnesses of the petitioner have already been examined and the petitioner only seeks one last effective opportunity to lead his entire evidence. It is stated that no witness of respondent No.1/tenant has been examined till date and the case is now listed for 17.09.2025. It is further stated that one of the witnesses that remains to be examined is the Clerk (Record Keeper) Nagar Council, Barnala and a perusal of the zimni orders dated 17.02.2025 and 25.02.2025 would show that although the summons issued to him were received back served yet the said witness did not appear and thus, bailable warrants were issued, however, the Court instead of enforcing the attendance of the said witness thereafter, did not proceed to do so. It is further submitted that in the said circumstances, the petitioner be granted one last effective opportunity to conclude his entire evidence at his own responsibility. It is stated that in order to compensate the respondent No.1 for the inconvenience caused to him the petitioner is ready to pay reasonable costs.

3. Keeping in view the above-said facts and circumstances, this Court is of the opinion that the petitioner should be granted one last effective opportunity to complete his entire evidence, at his own responsibility and accordingly, the present revision petition is partly



**CM-16496-CII-2025 in/and  
CR-5324-2025**

**-3-**

allowed and the impugned order dated 25.07.2025 (Annexure P-7) is set aside to the extent that the evidence of the petitioner has been closed by order and the petitioner is granted one last effective opportunity, at his own responsibility, to conclude his entire evidence. The same would be subject to the petitioner depositing an amount of Rs.10,000/- as costs, on or before 17.09.2025 and on his depositing the said amount, the same would be released by the trial Court to respondent No.1.

4. It is made clear that in case, the petitioner does not deposit the cost of Rs.10,000/- on or before 17.09.2025, the present revision petition would be deemed to have been dismissed.

5. It would be relevant to mention that notice of motion has not been issued to respondent No.1 as issuance of any notice would further delay the proceedings in the suit and would also entail expenses for respondent No.1 in order to defend the present petition. However, it would be open to respondent No.1 to move an application for recalling the present order in case, any statement made before this Court is found to be false/incorrect.

**August 29, 2025**

*naresh.k*

**( VIKAS BAHL )  
JUDGE**

Whether reasoned/speaking?  
Whether reportable?

Yes/No  
Yes/No