



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

C. R No. 5053 of 2025 (O&M)

Date of decision:- 01.08.2025

Sh. Jaspal Matto

....Petitioner

versus

Sh. Harsh Kumar

...Respondent

CORAM: HON'BLE MRS. JUSTICE SUDEEPTI SHARMA

Present: Ms. Pridhi Sandhu, Advocate and
Mr. Manpreet Singh Kanda, Advocate
for the petitioner.

SUDEEPTI SHARMA, J. (Oral)

1. Present petition has been preferred against order dated 07.07.2025 passed by learned Addl. Civil Judge (Sr. Divn.), Dasuya, whereby evidence of the petitioner/defendant has been closed by Court order.

2. Learned counsel for the petitioner contends that since the father of the petitioner was under treatment and was admitted in the hospital, the petitioner could not lead the entire evidence due to ill health of his father and the petitioner could not follow up the matter. She further submits that the petitioner was not even informed by his previous counsel about the stage of the matter. She further submits that the next date of hearing before learned Addl. Civil Judge (Sr. Divn.), Dasuya is fixed for today itself i.e 01.08.2025. She prays that one last opportunity be granted to the petitioner to lead his entire evidence. Hence, she prays that the present revision petition be allowed.

3. I have heard learned counsel for the petitioner and perused the



whole file of this case with her able assistance.

4. As per contention of learned counsel for the petitioner, the petitioner could not lead the entire evidence due to unavoidable circumstances. A *lis* should be decided on merits rather on technicalities, therefore, justice demands that one last effective opportunity is required to be granted to the petitioner to lead the entire evidence.

5. In view of the above, the present revision petition stands allowed and order dated 07.07.2025 passed by learned Addl. Civil Judge (Sr. Divn.), Dasuya is set aside to the extent of closing the evidence of the petitioner. One last effective opportunity is granted to the petitioner to lead the entire evidence, subject to payment of Rs.5,000/- as costs to be deposited by the petitioner with the Punjab and Haryana High Court Bar Association, which shall be utilized for construction/renovation of Women Bar Room, Punjab and Haryana High Court, Chandigarh. Since the case is fixed for today i.e 01.08.2025, therefore, the learned trial Court is directed to grant one last effective opportunity to the petitioner to lead his entire evidence on the next date of hearing, as fixed by the learned Court.

01.08.2025

Gaurav Arora

(SUDEEPTI SHARMA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No