



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR No.134 of 2025 (O&M)

Date of Order:14.01.2025

Pushpinder Singh alias Jamla

.Petitioner

Versus

Major Singh and another

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. B.P.S.Virk, Advocate
for the petitioner.

ANIL KSHETARPAL, JUDGE (Oral)

1. This is the defendant's revision petition against the trial court's order passed on 09.12.2024, while closing his opportunity to lead evidence.
2. In the year 2017, the plaintiffs filed a suit for possession of land measuring 2 kanals against the petitioner.
3. The learned counsel representing the petitioner contends that the suit was fixed for plaintiffs' evidence on 28.09.2017, which was ultimately closed on 15.05.2023. He submits that thereafter the case was fixed for defendant's evidence and he filed an application for appointment of Local Commissioner for demarcation which was dismissed on 14.08.2024. Thereafter, the defendant's examination-in-chief was recorded and the hearing of the case was adjourned. He submits that the revision petition against the order dismissing the application for appointment of Local Commissioner is pending in this court. He submits that if one last opportunity is granted to the petitioner, he will conclude his evidence by examining him as well as one Nambardar.
4. Though, the suit was filed in the year 2017, however as



projected by the learned counsel representing the petitioner, the plaintiffs closed his evidence after taking a period of nearly 6 years.

5. Keeping in view the aforesaid facts, the revision petition is allowed. The order dated 09.12.2024, is set aside, subject to petitioner's leading his entire evidence within one month from the date to be fixed by the trial court, subject to payment of costs of Rs.5,000/- which shall be payable to the plaintiffs by way of Demand Draft.

6. The trial court will fix the next date within a period of 15 days from the next date of hearing i.e. 15.01.2025.

7. Since, the order has been passed without issuing notice to the respondents, they shall have the liberty to file an application for re-call.

8. All the pending miscellaneous applications, if any, are also disposed of.

(ANIL KSHETARPAL)
JUDGE

January 14, 2025

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