

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

136

**CR-2444-2022 (O&M)  
Decided on : 04.07.2022**

Deepak Sharma and another

... Petitioner(s)

Versus

Sarva Haryana Gramin Bank

... Respondent(s)

**CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL**

PRESENT: Mr. Chanderhas Yadav, Advocate  
for the petitioner(s).

\*\*\*\*

**MANJARI NEHRU KAUL, J. (Oral)**

By way of present revision petition filed under Article 227 of the Constitution of India, learned counsel is seeking the setting aside of the order dated 27.04.2022 (Annexure P-4), passed by learned Additional Civil Judge (Sr. Divn.), Panchkula, vide which the evidence of the petitioners/defendants was closed.

Learned counsel submits that the petitioners are the defendants in the recovery suit filed by the respondent-Bank, wherein, reply has already been filed on their behalf. However, due to the prevailing pandemic COVID-19, the proceedings in the civil cases were stopped before the trial Court. The petitioners are residing at a distance of approximately 40-45 kilometers from the District Courts at Panchkula, therefore, due to a communication gap between the petitioners and their counsel, they were unaware that the proceedings in civil matters had resumed before the trial Court post-covid. Learned counsel further submits that the trial Court, without appreciating that no evidence had even been led on behalf of the defendants, closed the evidence of the petitioners/defendants vide order dated 27.04.2022 (Annexure P-4).

Learned counsel submits that the petitioners/defendants would suffer irreparable loss, if they are not granted one last effective opportunity to lead their evidence, as otherwise the suit of the respondent/plaintiff would be decreed automatically. Learned counsel further submits that the petitioners-defendants are ready to bear the costs as may be imposed by this Court.

Heard.

In the wake of the above, without issuing notice to the respondent-Bank and to avoid any further delay as well as expenses which the respondent-Bank may have to incur to defend these proceedings, the instant revision is allowed and the impugned order dated 27.04.2022 (Annexure P-4) is set aside. The petitioners-defendants shall now be granted one last effective opportunity to conclude their evidence before the trial Court which, however, shall be subject to the payment of Rs.10,000/- as costs to be paid to respondent/plaintiff-Bank.

**(MANJARI NEHRU KAUL)**  
**JUDGE**

**July 04, 2022**

*J.Ram*

*Whether speaking/reasoned: Yes/No*

*Whether Reportable: Yes/No*