

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

133

CR-7784-2023 (O&M)  
Date of Order:09.01.2024

KAUSHALYA DEVI AND ANOTHER .Petitioners

Versus

SARDARA SINGH AND OTHERS ..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Vishal Goel, Advocate  
for the petitioners.

ANIL KSHETARPAL, J

1. The petitioners herein have filed a suit for grant of decree of permanent injunction restraining the defendants from interfering in their peaceful possession over the site shown as 'ABCD' in the site plan and further restraining the respondents from forcibly dispossessing them.
2. In this revision petition, the correctness of the order dated 05.12.2023, has been assailed. The court has closed the plaintiffs' evidence. The petitioners pray for one opportunity.
3. On the request of the court, the learned counsel representing the petitioners has produced the daily zimni orders passed by the court from 19.11.2018. It is evident that on 08.03.2019, the statement of Smt. Kaushalya Devi, the plaintiff, in examined-in-chief was recorded. Thereafter, the case remained pending for various other proceedings in the suit and the case was fixed for evidence of the plaintiff only on 24.07.2023, whereas the impugned order was passed on 05.12.2023.
4. Keeping in view the aforesaid facts, the revision petition is allowed. The petitioners are granted one opportunity to lead their entire

evidence subject to payment of costs of Rs.1000/- to the opposite party. The respondents have the liberty to file application for recalling this order as it has been passed without hearing them.

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

January 09, 2024  
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(ANIL KSHETARPAL)  
JUDGE

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|---------------------------|---------|
| Whether speaking/reasoned | :YES/NO |
| Whether reportable        | :YES/NO |