



CR-6990-2024

1

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CR-6990-2024

Date of decision : 02.12.2024

Bhupinder Singh Dhumi

... Petitioner

Versus

Sukhwinder Singh

... Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr.Gopal Sharma, Advocate
for the petitioner.

VIKAS BAHL, J.(ORAL)

1. This is a Civil Revision Petition filed under Article 227 of the Constitution of India for setting aside the impugned order dated 18.10.2024 (Annexure P-4), vide which the evidence of the plaintiff has been closed by order.
2. Learned counsel for the petitioner has submitted that it is the petitioner, who has filed the suit for recovery of Rs.3,30,000/- along with interest and for permanent injunction and two witnesses of the petitioner i.e., PW-1 Dalip Singh and PW-2 Bhupinder Singh Dhumi had tendered their affidavits dated 10.01.2024 and 28.05.2024 respectively and thereafter, on request of counsel for the defendant, the case was adjourned to 07.08.2024. It is submitted that on 07.08.2024, since counsel for the defendant was not available to cross-examine the said witnesses, thus, the

**CR-6990-2024****2**

said witnesses could not be cross-examined. It is further submitted that thereafter on two dates, the plaintiff could not come because of illness. It is stated that examination-in-chief of both PW-1 and PW-2 has already been submitted and the the petitioner is seeking only one opportunity for the purpose of cross-examination and in case the same is not done, then irreparable loss would be caused to the petitioner. It is further submitted that for the inconvenience caused to the respondent, the petitioner is ready to pay reasonable cost. It is stated that the case is now fixed for 04.12.2024 and the petitioner would produce his both witnesses on the said date.

3. Keeping in view the abovesaid facts and circumstances, the present petition is partly allowed and the impugned order dated 18.10.2024 to the extent that the evidence of the petitioner has been closed by order is set aside and the petitioner is permitted to produce both PW-1 and PW-2 on 04.12.2024 and on the said witnesses appearing on the said date, the trial Court is directed to get their cross-examination completed after giving due opportunity to counsel for the respondent-defendant. The same would be subject to the petitioner depositing an amount of Rs.10,000/- on 04.12.2024, which would be released to the respondent-defendant by the trial Court.

4. It is made clear that in the case the witnesses are not produced by the petitioner on 04.12.2024 or the costs is not deposited on the said date, the present petition would be deemed to have been dismissed.

5. In the present case, no notice is being issued to the respondent as issuance of notice to him would further delay the proceedings and would also entail expenses for the respondent to defend the present revision



CR-6990-2024

3

petition. However, it would be open to the respondent to move an application for recalling the present order in case any of the statements made before this Court is found to be false/incorrect.

(VIKAS BAHL)
JUDGE

December 02, 2024.
Davinder Kumar

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