



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

126

CR No.4760 of 2025 (O&M)

Date of Decision :28.07.2025

Kanwaljit Singh**.....Petitioner****Versus****Sukhwinder Pal Kaur and another****..... Respondents****CORAM: HON'BLE MR.JUSTICE VIKRAM AGGARWAL**

Present : Mr. Himanshu Puri, Advocate for
Mr. Sunny K. Singla, Advocate for the petitioner.

VIKRAM AGGARWAL, J. (Oral):

The present revision petition, preferred under Article 227 of the Constitution of India, assails the order dated 10.07.2025 (Annexure P-5), passed by the Court of Civil Judge (Jr. Divn.), Malerkotla, vide which evidence of the petitioner/decreed holder was closed.

2. The facts, as emanating from the revision petition, are that a suit for possession by way of specific performance of an agreement to sell dated 26.02.2016 along with consequential relief of permanent injunction filed by the petitioner/plaintiff was decreed, vide judgment and decree dated 07.07.2021 (Annexure P-1), passed by the Court of Civil Judge (Sr. Divn.), Malerkotla.

3. Execution proceedings having been preferred by the petitioner, an objection petition (Annexure P-2) was preferred by one Sukhwinder Pal Kaur, who was the wife of the judgment debtor (Vikramjit Singh). The said objection petition was opposed by the petitioner. From the pleadings of the parties, issues were framed vide order dated 13.09.2023 (Annexure P-3).

4. By way of the impugned order, the evidence of the petitioner was



closed on the ground that a number of opportunities had been availed by him.

Aggrieved by the same, the present revision petition has been preferred.

5. I have heard learned counsel for the petitioner.

6. There would be no necessity of issuing notice to the respondents, for in view of the nature of the order that is proposed to be passed, no prejudice would be caused to them.

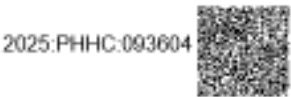
7. Learned counsel for the petitioner submits that one opportunity be granted to the petitioner to conclude this evidence.

8. Concededly, evidence of the petitioner/decreed holder commenced on 22.03.2024. The Court rightly concluded that sufficient opportunities had been granted. On 08.05.2025, one final opportunity was granted for conclusion of evidence and the case was adjourned to 19.05.2025. However, on 19.05.2025, the said witness could not be examined and the case was adjourned to 08.07.2025, subject to payment of Rs.500/- as costs.

9. A perusal of the file shows that mostly the case was adjourned since it was a no work day on account of a call given by the Bar Association. It is not in dispute that sufficient opportunities were granted to the petitioner to lead and conclude his evidence. However, in the interest of justice, one more opportunity is granted to the petitioner to lead and conclude his evidence.

10. Accordingly, the revision petition is allowed and the impugned order dated 10.07.2025, is set aside. The Court concerned is directed to grant one effective opportunity to the petitioner to lead and conclude his evidence on a date to be fixed by it. This shall however, be subject to payment of costs of Rs.10,000/-, which shall be paid to the respondents-judgment debtors.

11. Needless to assert that if the said evidence is not led and



concluded on the one effective opportunity granted by the executing Court as per its convenience, the evidence shall stand closed.

Pending application(s), if any, shall also stand disposed of.

(VIKRAM AGGARWAL)
JUDGE

28.07.2025
Manoj Bhutani

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