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

(143)

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Date of Decision: - 06.08.2025

Anshul Gupta

....Petitioner

Versus

Makrand Singh

.....Respondent

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. Anshul Gupta, petitioner in person. (Through VC).

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**VIKAS BAHL, J. (ORAL)**

1. Present civil revision petition has been filed under Article 227 of the Constitution of India seeking revision of the order dated 21.07.2025 (Annexure P-14) passed by the Civil Judge (Junior Division), Gurugram, whereby the petitioner has not been permitted to file replication.

2. It is not in dispute that the respondent had filed a petition bearing Civil Revision No.2344 of 2025, which was decided on 02.07.2025. The petitioner appearing in person had appeared in the said revision petition. The relevant portion of the said order is reproduced herein below: -

*“4. Keeping in view the above-said facts and circumstances and the fair stand taken on behalf of learned counsel for the petitioner as well as by the respondent, the impugned order*



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*dated 04.01.2025 (Annexure P-11) is set aside and the present revision petition is disposed of with the following directions/observations: -*

- (i) The petitioner would deposit an amount of Rs.40,000/- as costs, on or before 15.07.2025, by moving an application before the trial Court and on the petitioner depositing the said amount, the trial Court would release the same to the respondent. In case the said amount is not deposited within the aforesaid period, the present revision petition would be deemed to have been dismissed.*
- (ii) The petitioner would also file the written statement on or before 15.07.2025 by moving an application before the trial Court. In case the same is not done, the present revision petition would be deemed to have been dismissed.*
- (iii) In case conditions No.(i) and (ii) are met by the petitioner, then, the respondent would file the replication, if any, on or before 21.07.2025.*
- (iv) In case, the witness (PW-1) presents himself for his cross-examination on 25.07.2025, no adjournment would be taken by the learned counsel for the petitioner for the purpose of his cross-examination and the counsel for the petitioner would be ready to cross-examine the said witness.*
- (v) All the parties concerned shall fully assist the trial Court in the expeditious disposal of the case.”*

A perusal of the above order would show that in the presence of the present petitioner, who was respondent in the said revision petition, the above-said directions were passed and the petitioner therein was burdened with costs of Rs.40,000/-, which was to be paid to the present petitioner. The present petitioner, who was respondent therein, was permitted to file replication on or before 21.07.2025 and PW-1 was directed to be cross-examined on 25.07.2025.



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3. It is not in dispute that the present petitioner did not file replication on or before 21.07.2025 and thus, vide the impugned order dated 21.07.2025, the trial Court in compliance to the order passed by this Court framed the issues and adjourned the case for 25.07.2025 for the evidence of the plaintiff/present petitioner. No extension of time was sought by the present petitioner to file replication, thus, the order of the trial Court dated 21.07.2025 which is sought to be challenged now is in compliance to the order passed by this Court. A perusal of the zimni order dated 25.07.2025 would further show that in further compliance to the order passed by this Court, PW-1, who was present, had been examined and the present petitioner/plaintiff had thereafter made a statement closing his evidence. The said order dated 25.07.2025 is reproduced herein below: -

*“Present: Shri Bharat Singh Khatana, Ld. Counsel for plaintiff.  
Shri Babru Bhan and Ms Tanvi Singh, Ld.  
Counsel for defendant.*

*Today, the case was fixed for evidence of plaintiff. PW1 Mr. Anshul Gupta is present and has been examined. No other PW is present. Thereafter, Shri Anshul Gupta (plaintiff) vide making a separate statement closed the evidence. Now, to come up on 22.08.2025 for evidence of defendant at 11:30 A.M. sharp.*

*Date of Order: 25.07.2025*

*(Nidhi Beniwal)  
CJ(JD)/Gurugram  
(UID No. HR0500)”*

4. The case is now fixed for evidence of the defendant for 22.08.2025. The petitioner has challenged the order dated 21.07.2025 and



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has submitted that the said order is illegal, inasmuch as, adequate time has not been given to the petitioner to file replication. As is apparent from the facts stated herein-above, the time to file replication was up to 21.07.2025 as per the order passed by this Court dated 02.07.2025 in Civil Revision No.2344 of 2025, which order had attained finality and thus, the order passed by the trial Court dated 21.07.2025 is in accordance with directions given by this Court. The present petitioner who had appeared as respondent in Civil Revision No.2344 of 2025 was well aware of the passing of the said order and did not move any application for seeking extension of time. Even subsequently, the issues had been framed and the evidence of the petitioner/plaintiff had been closed by order. In the said circumstances, the challenge to the order dated 21.07.2025 is misconceived.

5. The Hon'ble Supreme Court in the case of "**Shalini Shyam Shetty and another Vs. Rajendra Shankar Patil**", **reported as (2010) 8 Supreme Court Cases 329**, had observed that the High Courts cannot, at the drop of a hat, in exercise of its power of superintendence under Article 227 of the Constitution, interfere with the orders of tribunals or courts inferior to it. Nor can it, in exercise of this power, act as a court of appeal over the orders of court or tribunal subordinate to it. It was also observed in the said judgment that a statutory amendment with respect to Section 115 of the Civil Procedure Code does not and cannot cut down the ambit of High Court's power under Article 227 but at the same time, it must be remembered that such statutory amendment does not

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correspondingly expand the High Court's jurisdiction of superintendence under Article 227. The power of interference under this Article is to be kept to the minimum to ensure that the wheel of justice does not come to a halt and the fountain of justice remains pure and unpolluted in order to maintain public confidence in the functioning of the tribunals and courts subordinate to the High Court. It was also observed that the power under Article 227 may be unfettered but its exercise is subject to high degree of judicial discipline.

6. Keeping in view the above-said facts and circumstances, this Court is of the opinion that the impugned order dated 21.07.2025 does not call for any interference by this Court while exercising its powers under Article 227 of the Constitution of India and accordingly, the impugned order is upheld and the present revision petition being meritless, deserves to be dismissed and is dismissed.

**August 06, 2025***naresh.k***( VIKAS BAHL )  
JUDGE**

Whether reasoned/speaking?

Yes

Whether reportable?

Yes