

**CR No. 5876 of 2025****1****IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH****122****CR No. 5876 of 2025****DATE OF DECISION :- 01.09.2025****Gurmit Kaur****...Petitioner****Versus****Balwinder Singh and another****...Respondents****CORAM: HON'BLE MR. JUSTICE VIRINDER AGGARWAL**

Present:- Mr. Vikas Gupta, Advocate with
Mr. Manish Kansra, Advocate for the petitioner.

*********VIRINDER AGGARWAL, J. (Oral)**

1. This revision petition has been preferred under Article 227 of the Constitution of India assailing the order dated 21.08.2025 passed by Civil Judge (Jr. Div.) Tarn Taran vide which the learned Civil Judge has closed the evidence of the plaintiff/petitioner by order. The impugned order shows that the case is fixed for 02.09.2025 for leading evidence of defendants.

2. A perusal of the paper book show that the petitioner-plaintiff was granted six opportunities to lead evidence but petitioner failed to lead evidence and the impugned order was passed. The petitioner was not present and application seeking exemption from personal appearance of the petitioner was moved. Considering the fact that on that date the suit was pending for evidence of the petitioner-plaintiff and petitioner-plaintiff moved an application under Order 14 Rule 5 of CPC for recasting the issues but the learned Civil Judge has decided that application on the same date and

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has called for petitioner to lead evidence on the same date. Though there is no material illegality in the impugned order in exercising of jurisdiction of the learned Civil Judge but interest of justice requires that one effective opportunity is granted to the petitioner to lead evidence. So one effective opportunity be granted to the petitioner-plaintiff to lead evidence subject to payment of cost of Rs.20,000/-. Out of the cost an amount of Rs.5,000/- be paid in the account of District Legal Services Authority, Tarn Taran and the remaining cost be paid to the respondent-defendants. The petitioner would produce the witnesses at his own responsibility. She can take Dasti summons, if required. The learned Civil Judge would adjourn the case for evidence of the petitioner by granting adjournment of 10 days.

3. The petition stands disposed of.

(VIRINDER AGGARWAL)
JUDGE

01.09.2025*P.Singh*

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No