



125

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH****CR-7918-2025 (O&M)****Date of Decision : 14.11.2025**

MAKHAN SINGH

.... Petitioner

VERSUS

MADAN LAL

.... Respondent

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Munish Raj Chaudhary, Advocate for the petitioner.

Mr. Munish Garg, Advocate for the respondent.

ALKA SARIN, J. (ORAL)

1. Mr. Munish Garg, Advocate has appeared and has filed his vakalatnama on behalf of the plaintiff-respondent which is taken on record.
2. Prayer in the present revision petition filed under Article 227 of the Constitution of India is for setting aside the impugned order dated 12.08.2025 (Annexure P-2) passed by the learned Additional Civil Judge (Senior Division), Barnala vide which the evidence of the defendant-petitioner was closed for not concluding his evidence despite having availed 13 opportunities including the last opportunity.
3. Learned counsel for the defendant-petitioner would contend that given two effective opportunities the defendant-petitioner would conclude his entire evidence at his own risk and responsibility and that the defendant-petitioner is also willing to compensate the plaintiff-respondent by way of costs.

4. Learned counsel for the plaintiff-respondent would contend sufficient opportunities have already been given to the defendant-petitioner for concluding his evidence and that the defendant-petitioner had already availed 13 opportunities and despite the same, the evidence was not led and as such no fault can be found with the impugned order dated 12.08.2025.

5. Heard.

6. In the present case the defendant-petitioner is seeking two effective opportunities to conclude his evidence. No doubt that the defendant-petitioner herein has been remiss in not concluding his evidence, however, keeping in view the nature of the litigation, which is a suit for recovery, and in order to do complete justice between the parties, this Court deems it fit to grant two effective opportunities to the defendant-petitioner to conclude his entire evidence at his own risk and responsibility.

7. In view thereof, the present revision petition is allowed, and two effective opportunities are granted to the defendant-petitioner to conclude his entire evidence at his own risk and responsibility subject to payment of ₹30,000 as costs to be paid to the plaintiff-respondent. The payment of costs shall be a condition precedent. It is made clear that in case the payment is not paid to the plaintiff-respondent, the present revision petition shall be deemed to having been dismissed.

8. Pending applications, if any, also stand disposed off.

14.11.2025

Aman Jain

*NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: Yes/No*

(ALKA SARIN)

JUDGE