IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

CMPMO No. 665 of 2026

Date of decision: 6.11.2026

Jai Gopal. **…Petitioner.**

Versus

Karan Sood. **…Respondent.**

Coram

The Hon'ble Mr. Justice Vivek Singh Thakur, Judge.

Whether approved for reporting?[1]

For the Petitioner. ***Mr.Pawan K. Thakur, Advocate.***

For the Respondent: ***Notice not issued.***

Vivek Singh Thakur, Judge (Oral)

This petition has been preferred by the petitioner against the order dated 3.9.2026 passed by Rent Controller (Civil Judge), Chopal, whereby, evidence of the petitioner, who is respondent in the main petition, has been closed by order of the Court.

2. It is apparent that evidence of respondent/petitioner was closed on 28.08.2024. Thereafter, matter was listed before the learned Trial Court/Rent Controller on 27.11.2024 for examining RWs, on taking steps within 10 days. On 27.11.2024, neither steps were taken for calling the witnesses nor any RW was present, and time prayed for by the

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[1] ***Whether the reporters of the local papers may be allowed to see the Judgment? Yes***

petitioner was allowed and matter was ordered to be listed on 24.02.2025. On 24.02.2025 again, neither steps were taken nor RWs were present. Again, matter was adjourned for 28.04.2025 with further direction that steps for summoning the witnesses be taken well in advance, and matter was adjourned for 08.07.2025.

3. On 08.07.2025, neither steps were taken nor RWs were present and thereafter, time was granted to produce the RWs on self-responsibility on 02.09.2025. On 02.09.2025, no RWs were present. Time prayed was again granted for producing the RWs on self-responsibility on 02.12.2025. On 02.12.2025 again, no RWs were present, and time prayed was granted and matter was adjourned for 31.03.2026. On 31.03.2026 again, no RWs were present; however, by way of exceptional last opportunity, time was granted to produce the RWs on self-responsibility on 20.05.2026.

4. Matter was not listed on 20.5.2026 and it was taken on 30.5.2026 and petitioner was permitted to produce evidence on self responsibility on 31.7.2026. On 31.07.2026, no RWs were present. Again, by way of exceptional last opportunity, time was granted to produce RWs on 03.09.2026 with rider that no further opportunity shall be granted.

5. On 03.09.2026, again no RWs were present, and the Trial Court, observing that, on the record it was clear that sufficient opportunities had been provided to the respondent/petitioner to examine

his witnesses, but he has not produced the witnesses and no plausible reason had been cited by the counsel for not producing the witnesses, the evidence of respondent/petitioner was closed by order of the Court.

6. Against the aforesaid order, present petition has been preferred.

7. It is apposite to record that the aforesaid order was passed on 03.09.2026 and copy of this order was supplied to the petitioner on 05.09.2026, but petitioner waited for filing of this petition until 3rd November, 2026, whereas case before the Rent Controller had been fixed for arguments on 13.11.2026.

8. In the aforesaid facts recorded hereinabove, I am of the considered opinion that no case is made out for interference in the impugned order passed by the Rent Controller, (Civil Judge), Chopal.

The petition stands disposed of in aforesaid terms, alongwith pending applications, if any.

(Vivek Singh Thakur),
Judge.

16th November, 2026
(Keshav)