



CR-2104-2026 (O&M)

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

106

CR-2104-2026 (O&M)

DATE OF DECISION: 06.03.2026

NARINDER SINGH AND ANOTHER

....PETITIONERS

VERSUS

RAJINDER KUMAR AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE YASHVIR SINGH RATHOR

Present : Mr. G.S. Sirphikhi, Advocate for the petitioners.

YASHVIR SINGH RATHOR, J. (ORAL)

1. This revision petition has been instituted under Article 227 of the Constitution of India for setting aside the orders dated 15.01.2026 (Annexure P-5) and 11.02.2026 (Annexure P-6), passed by the learned Civil Judge (Junior Division), Amritsar in Civil Suit No.3148 of 2023, vide which the case has been adjourned for consideration on stay application and permission to file replication to the written statement filed by defendant No.1 has not been allowed.

2. In view of the nature of the order proposed to be passed, issuance of notice to the respondent is dispensed with, as it would only delay the proceedings and cause unnecessary expenditure to the respondent.

3. I have heard the learned counsel for the petitioners/revisionists and have gone through the material on record.



CR-2104-2026 (O&M)

4. After the written statement was filed by defendant No.1, suit was adjourned to 15.01.2026 for filing of replication and cost was also imposed. However, on 15.01.2026, cost was not paid and replication was also not filed and the case was adjourned to 11.02.2026 for consideration on stay application. It was further ordered that previous cost be paid on the said date and the case was adjourned to 11.02.2026 on which date also case has been adjourned to 06.03.2026 for consideration on stay application.

5. As per version of the petitioners/plaintiffs, they have deposited the costs with the District Legal Services Authority, Amritsar vide receipt Annexure P-8 and a prayer has been made that they be permitted to file replication, a copy of which has also been placed on file as Annexure P-7. A Co-ordinate Bench of this Court in 2021(3) RCR(Civil) 145 **Surinder Kumar Singal Vs. Mr. Raj Kumar Singal and Another**, has held that even if issues are framed, replication can be taken on record and at best, it would be a case of irregularity in procedure and the order vide which permission to file replication was declined was set aside. In the present case also, the suit is pending for arguments on stay application and even issues have not been framed as yet. Thus, no prejudice is likely to be caused to the defendants if the plaintiffs are permitted to file the replication, particularly when they have already deposited the costs with the District Legal Services Authority, Amritsar.

6. Resultantly, the present revision petition is disposed of and the petitioners are permitted to file the replication. However, it is made



CR-2104-2026 (O&M)

clear that only one opportunity shall be granted to the petitioners to file the replication.

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

06.03.2026

Vishal Vardhan

(YASHVIR SINGH RATHOR)

JUDGE

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No