

124 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR-2222-2026

Date of Decision: 10.03.2026

GOVERNMENT PRIMARY SCHOOL CHAKLI SUJAIT SBS NAGAR
AND OTHERS

...Petitioners

Vs.

RASHPAL SINGH AND OTHERS

...Respondents

CORAM:- HON'BLE MR. JUSTICE VIRINDER AGGARWAL

Present: Mr. I.S. Kingra, Senior DAG, Punjab.

VIRINDER AGGARWAL, J. (Oral)

The present revision petition has been filed under Article 227 of the Constitution of India, for quashing the impugned orders dated 12.11.2025 (Annexure P-10) & dated 12.12.2025 (Annexure P-13) passed by the learned Civil Judge (Senior Division), SBS Nagar whereby the evidence of the petitioner was directed to be closed. The petitioner challenges the said order on the grounds that the same has been passed prematurely and without affording a fair opportunity to adduce the remaining evidence.

2. A perusal of the impugned order reveals that plaintiff/respondent No.1 filed a Civil Suit seeking possession of land measuring 2 Kanal 5 Marlas, bearing Khata Nos. 128/120/139, 125/120 min-118 min-116 min-104 min-103/136 and Khasra Nos. 27//23, 27//22/2, 33/1, alleging illegal encroachment by the petitioners/defendants and claiming recovery of mesne profits; the petitioner/defendants No.12 to 14 filed a written statement raising preliminary objections, contending that the school shown in the site plan is situated on land owned by the Gram Panchayat of Village Mahaddipur, not on the plaintiff's land, and has been running for over three decades without any

objection. The plaintiff closed evidence on 19.08.2025 after more than 27 opportunities, and the petitioner/defendants were granted multiple dates to lead evidence, some of which were due to Bar Association work suspensions (16.09.2025, 25.09.2025, 03.10.2025, 15.10.2025, 30.10.2025, 07.11.2025, 11.12.2025). Despite this, the learned Civil Court arbitrarily closed the evidence of the petitioner/defendants on 12.11.2025 on the ground that six opportunities had been availed without leading evidence, following which the petitioner/defendants filed an application on 19.11.2025 seeking permission to produce evidence, which has been opposed by the plaintiff and the same was dismissed on 12.12.2025, thereby preventing the petitioner/defendants from presenting their case and causing prejudice due to the arbitrary and illegal closure of evidence without considering adjournments beyond their control. Aggrieved by the said order, the present revision petition has been filed.

3. I have heard counsel for the petitioners has gone through the paper-book carefully.

4. A perusal of the case history reveals that the petitioners/defendants were granted ample opportunities to conclude the evidence. Their evidence remained pending for considerable period of time and they failed to appear without any cogent or satisfactory explanation. In these circumstances, there is no illegality or infirmity in the impugned order passed by the learned Civil Judge which would warrant interference by this Court in the exercise of its revisional jurisdiction.

5. Considering that the testimony of the petitioners/defendants is of utmost importance and keeping in view the interest of justice and to enable the parties to contest the matter on merits, the petitioners are granted one final and



effective opportunity to produce their remaining evidence. This opportunity is subject to the payment of costs amounting to Rs. 25,000/-, of which Rs. 20,000/- which shall be paid to the respondent, and remaining amount of Rs.5,000/- be deposited in the account of the District Legal Services Authority, SBS Nagar.

6. In view of the above, the present petition is disposed of.

(VIRINDER AGGARWAL)
JUDGE

10.03.2026

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Whether speaking/reasoned : *Yes/No*
Whether reportable : *Yes/No*

