

109 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR-2341-2026

Date of Decision: 13.03.2026

PRATEEK RATHEE @ PRATEEK RATHI

...Petitioner

Vs.

NITIN BHARDWAJ (SINCE DECEASED THROUGH HIS LR'S) AND
ANOTHER

...Respondent

CORAM:- HON'BLE MR. JUSTICE VIRINDER AGGARWAL

2.

CR-2364-2026

PRATEEK RATHEE @ PRATEEK RATHI

...Petitioner

Vs.

ROMESH CHANDER SHARMA

...Respondent

Present: Mr. Gurdeep Singh Nehra, Advocate for the petitioner.

VIRINDER AGGARWAL, J. (Oral)

1. The present revision petitions have been filed under Article 227 of the Constitution of India, seeking to set aside the order dated 24.02.2026 (Annexure P-1) passed by the learned Civil Judge (Senior Division), Gurugram, whereby the evidence of the petitioner/defendant 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 the respondent/plaintiff filed the present civil suit against the revisionist/defendant, pending before the learned Trial Court. After the plaintiff concluded evidence, the matter was fixed for the revisionists'



evidence. On 10.02.2026, the revisionists engaged new counsel, who, upon perusal of the record, found it necessary to obtain certified copies of certain vital documents to prepare the affidavit in evidence. However, the copying branch at the District Courts, Gurugram, was not functional, and the issuance of certified copies was entrusted to overburdened Ahlmads, causing unavoidable delay beyond the revisionists control. On 24.02.2026, when the matter was listed, the revisionists counsel sought a short adjournment to obtain the copies and file the evidence, but the learned Trial Court mechanically closed their evidence, despite the plaintiff having availed nearly 35 adjournments since 21.07.2018. The evidence sought to be led is crucial for the just adjudication of the dispute, and the impugned order causes irreparable prejudice by denying the revisionists a fair opportunity to present their defence, leaving no other efficacious remedy, thereby necessitating the present revision petition.

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

4. A perusal of the case history reveals that the petitioner/defendant was granted ample opportunities to conclude the evidence. In these circumstances, there is no illegality or infirmity in the impugned order passed by the learned Civil Judge (Senior Division), Gurugram, which would warrant interference by this Court in the exercise of its revisional jurisdiction. However, keeping in view the interests of justice and to enable the parties to contest the matter on its merits, the petitioner is granted one final and effective opportunity to produce the evidence. This opportunity is subject to



the payment of costs amounting to Rs. 50,000/- (each in both cases) of which Rs. 10,000/- shall be deposited in the account of the District Legal Services Authority, Gurugram, and the remaining Rs. 40,000/- in each case shall be paid to the respondents/plaintiffs.

6. In view of the above, the present petitions are disposed of.

7. A photocopy of the order be placed on the file of other connected case.

(VIRINDER AGGARWAL)
JUDGE

13.03.2026

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