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

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Date of decision: 23.03.2026

MUKHTAR SINGH**....Petitioner****Versus****PRITAM SINGH AND OTHERS****...Respondents****CORAM: HON'BLE MR. JUSTICE YASHVIR SINGH RATHOR**

Present : Mr. Chetan Bansal, Advocate for the petitioner.

YASHVIR SINGH RATHOR. J.(Oral)

1. This revision petition is directed against the order dated 13.11.2025 (Annexure P1) passed by the Court of learned Civil Judge (Junior Division), Amritsar, vide which the evidence of the plaintiff/petitioner has been ordered to be closed.

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

3. Before proceeding further, the impugned order dated 13.11.2025 is reproduced as under:

“No PW is present. Previous cost not paid. Perusal of file revealed that plaintiff has availed numerous effective opportunities but failed to conclude his evidence. As such no further adjournment is justified and evidence of plaintiff is closed by order. Now to come up on 20.11.2025 for evidence of defendant, subject to three effective opportunities.”

4. I have heard the learned counsel for the petitioner/revisionist and



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have gone through the material on record.

5. Learned counsel for the petitioner/revisionist contended that the petitioner has filed a civil suit for separate possession by way of partition regarding a constructed building situated in Village Chawinda Devi, Amritsar. Learned counsel further contended that the petitioner had already examined one witness namely Satwinder Singh (PW2) and himself as PW1. Learned counsel next contended that the petitioner could not appear for his remaining cross-examination on the date fixed due to a demise in the family, as his brother had expired in Assam. The petitioner and his wife had to travel to Assam on 31.10.2025 and only returned on 13.11.2025. Copy of the train tickets (Annexure P-5) has also been placed on record. Learned counsel contended that the impugned order is harsh and will cause irreparable loss to the petitioner. Learned counsel further contended that in the interest of justice, one more opportunity be afforded to the petitioner to conclude his evidence, subject to payment of cost, so that the case can be decided on merits.

6. I find force in the contention raised by learned counsel for petitioner.

7. A perusal of the record shows that although the trial has been pending for a considerable time, the closure of evidence is a harsh order with far-reaching consequences. Only cross-examination of plaintiff remains to be conducted and in case, plaintiff is not cross-examined, his statement cannot be read in evidence.

8. Accordingly, in the interest of justice, one opportunity is granted to the petitioner to appear for his remaining cross-examination and to conclude his entire evidence, subject to payment of Rs.5,000/- as costs to be paid to the respondents, and the impugned order is accordingly set aside. The petitioner shall



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ensure his presence before the learned Trial Court on the date fixed for this purpose.

9. Pending miscellaneous application(s), if any, shall also stand disposed of.

23.03.2026
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(YASHVIR SINGH RATHOR)
JUDGE

Whether speaking/reasoned. : Yes/No
Whether Reportable. : Yes/No