



CR-2736-2026

- 1 -

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

125

CR-2736-2026

Date of decision: 25.03.2026

VINOD KUMAR**....Petitioner****Versus****THE COLLECTOR DISTRICT FARIDABAD AND ANR ...Respondents****CORAM: HON'BLE MR. JUSTICE YASHVIR SINGH RATHOR**

Present : Mr. Shiv Kumar, Advocate for the petitioner.

Mr. Praveen Kumar, DAG, Haryana.

YASHVIR SINGH RATHOR. J.(Oral)

1. This revision petition is directed against the orders dated 02.02.2026, 12.02.2026 and 19.02.2026 (Annexures P-4, P-5 and P-6) passed by the Court of learned Civil Judge (Junior Division), Faridabad, 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 respondent No.2 is dispensed with, as it would only delay the proceedings and cause unnecessary expenditure to the said respondent.
3. Before proceeding further, the impugned order dated 19.02.2026 is reproduced as under:

“ No PW is present today. Adjournment sought perusal of the file reflects that plaintiff has already availed 7 effective opportunities for concluding the entire evidence but he has failed to conclude entire evidence. It is specifically mentioned in the last zimni order dated 12.02.2026 that this shall be the last opportunity for the same failing which evidence of plaintiff shall be deemed to be closed on the date fixed. Today, no ground for further adjournment has been made out. Hence evidence of plaintiff is hereby closed by Court order. Now, to



CR-2736-2026

- 2 -

come upon 26.02.2026 for evidence of defendants at own responsibility."

4. I have heard the learned counsel for the petitioner/revisionist and have gone through the material on record.
5. Learned counsel for the petitioner/revisionist contended that the petitioner has filed a civil suit for mandatory injunction seeking demarcation of a plot situated in Village Mewla Maharajpur, Faridabad. Learned counsel further contended that the petitioner has already examined himself as PW1. Learned counsel next contended that the petitioner could not conclude his remaining evidence as his mother, Mrs. Rajwati, was unwell and was being treated by local doctors before being admitted at Metro Heart Institute & Multispeciality Hospital from 18.02.2026. Learned counsel further contended that although an application to summon witnesses was allowed on 07.02.2026, the diet money could not be deposited as the petitioner was occupied with his mother's medical treatment. Copies of medical records (Annexure P-7) have been placed on record. Learned counsel contended that the impugned order is harsh and will cause irreparable loss to the petitioner and 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 contentions raised by learned counsel for the petitioner.
7. A perusal of the record shows that although the trial has been pending, the closure of evidence is a harsh order with far-reaching consequences. The petitioner has provided a *bona fide* reason for the delay, specifically the medical emergency involving his mother.
8. Accordingly, in the interest of justice, one opportunity is granted to



CR-2736-2026

- 3-

the petitioner to lead and conclude his entire evidence, subject to payment of Rs.5,000/- as costs to be paid to the respondents, and the impugned orders are accordingly set aside.

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

25.03.2026
amandeep

(YASHVIR SINGH RATHOR)
JUDGE

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