



117

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

**CR-2860-2026 (O&M)
Date of Decision: 21.04.2026**

SHASHI KALA

..... Petitioner

Versus

JARNAIL SINGH

..... Respondent

CORAM: HON'BLE MR. JUSTICE YASHVIR SINGH RATHOR

Present : Mr. Rana Harjasdeep Singh, Advocate
for the petitioner (Through V.C.).

YASHVIR SINGH RATHOR, J. (Oral)

1. This revision petition is directed against the orders dated 17.12.2024 and 20.02.2026 (Annexures P-2 and P-3) passed by the learned Rent Controller, Ludhiana, vide which the evidence of the petitioner has been ordered to be closed and the application for recalling the said order has been dismissed.

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 said respondent.

3. Before proceeding further, the impugned order dated 20.02.2026 is reproduced as under:

“This order shall dispose of an application moved by the applicant seeking permission to adduce remaining evidence by recalling the order dated 17.12.2024. It is mentioned in the application that on the said date PW Soma Chumber, who is the attorney of petitioner Shashi Kala, was suffering



from high blood pressure and high sugar and due to the said reason the petitioner could not adduce her remaining evidence. ... The present application is not maintainable as the petition was fixed for evidence of petitioner on 31.01.2023 and after availing 12 effective opportunities the petitioner failed to conclude her evidence. ... The order dated 17.12.2024 is correct and there is nothing error apparent on the face of it... Keeping in view the above discussion, the application in hand is having no merits and same is hereby dismissed.”

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 had filed a rent petition for ejectment of the respondent from Shop No. 2, situated in New Janakpuri, Ludhiana. Learned counsel further contended that the petitioner, who is about 63 years of age, is suffering from various ailments including diabetes and knee problems, which make it difficult for her to attend the court. Learned counsel next contended that the petitioner's husband and general power of attorney, Soma Chumber, who is 71 years of age, was unwell on 17.12.2024 due to high blood pressure and sugar levels on which date he could not appear leading to the closure of evidence. It is further contended that the petitioner has already examined her attorney as PW1, who tendered his affidavit on 04.04.2024. Learned counsel emphasized that the case was adjourned for cross-examination on 01.05.2024, when the respondent's counsel requested for an adjournment to study the case file. On 27.05.2024, cross-examination was deferred by the Court for want of documents and on 04.10.2024, respondent's counsel sought an

adjournment as he was busy in another court. It is contended that the impugned orders are 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 her 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 though the petition has been pending and issues were framed on 31.01.2023, yet the closure of evidence is a harsh order with far-reaching consequences. Even the petitioner was not cross-examined by the opposite party on three dates and when petitioner could not appear on the adjourned date, the impugned order was passed. The petitioner has shown a *bona fide* reason for non-appearance, specifically the medical condition and advance age of both the petitioner and her attorney.

8. Accordingly, in the interest of justice, one opportunity is granted to the petitioner to lead and conclude her entire evidence, subject to payment of Rs.5,000/- as costs to be paid to the respondent, and the impugned orders are accordingly set aside.

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

(YASHVIR SINGH RATHOR)
JUDGE

21.04.2026
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Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No