

2026:PHHC:067556



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

**Civil Revision-2976-2022 (O&M)
Decided on:-30.04.2026**

Dakshin Haryana Bijli Vitran Nigam
(DHBVN), Fatehabad and anr.

....Petitioners..

vs.

Harpal Singh

....Respondent.

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. R.S. Mamli, Advocate,
for the petitioners.

None for the respondent.

HARKESH MANUJA J. (Oral)

1. By way of present revision petition, challenge has been laid to an order dated 31.03.2022, passed by the learned Civil Judge (Senior Division), Fatehabad, whereby the evidence of petitioner-defendant has been closed by court order.

2. The facts leading to the present case are that the respondent-plaintiff filed a suit for declaration to the effect that the notices bearing memos No.H41/2020/1046 & H41/2020/1047 dated 29.08.2020 issued to the respondent-plaintiff by the petitioner-defendant on the basis of an alleged checking conducted on 29.08.2020 vide which the petitioner-defendant had demanded a sum of Rs.27,315/- on account of alleged loss to the Nigam and a further sum of Rs. 8000/- for the purpose of compounding

of the alleged offence of theft, were illegal. On 09.02.2021, the issues were framed by the learned trial Court. Thereafter, owing to the outbreak of the Covid-19 pandemic, the case was adjourned on several occasions. On 15.12.2021, the evidence of the respondent-plaintiff was closed and the matter was fixed for recording of evidence of the petitioners-defendants. However, vide impugned order dated 31.03.2022, the evidence of the petitioners-defendants was closed by the court orders on the ground that the petitioners-defendants availed several effective opportunity but failed to conclude their evidence. It is the said order, which has been impugned in the present revision petition.

3. Learned counsel for the petitioners submits that due to the Covid-19 Pandemic, the petitioner could not lead its evidence and the same was closed by Court orders. He submits that in case one effective opportunity is granted, the petitioner will conclude its entire evidence.

4. Despite service, no one has chosen to appear on behalf of the respondent.

5. I have heard learned counsel for the petitioner and gone through the record.

6. A perusal of the paper book shows that though the petitioner was granted several opportunities to lead its evidence, however, the same could not be concluded due to Covid-19 pandemic situation.

7. Keeping in view the aforesaid facts and circumstances as well as for maintaining an equitable balance between the cause of justice and procedural technicalities, the present revision petition is allowed and impugned order dated 31.03.2022 (Annexure P-4) is hereby set aside by requesting the learned trial Court to grant one effective opportunity to the

petitioner to conclude its entire evidence.

7.1 However, the aforesaid indulgence shall be subject to payment of costs of Rs. 50,000/- to be paid to the respondent before the learned Trial Court on the date fixed for appearance towards delay in trial.

8. Pending applications, if any, also stand disposed of.

30.04.2026
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(HARKESH MANUJA)
JUDGE

(i)Whether speaking/reasoned: Yes/No (ii) Whether reportable: Yes/ No