

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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SATPAL

VS.

KALI RAM @ KALIA

CR-3309-2026 (O&M)

Date of decision: 04.05.2026

...Petitioner

...Respondent

CORAM: HON'BLE MRS. JUSTICE SUDEEPTI SHARMA

Present: Ms. Sonia G. Singh Samber, Advocate
for the petitioner.

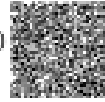
SUDEEPTI SHARMA, J. (Oral)

1. The present civil revision is filed for setting aside order dated 10.03.2026, passed by learned Civil Judge (Jr. Division), Panipat vide which application moved by petitioner for leading evidence was dismissed.

2. Learned counsel for the petitioner contends that learned Civil Judge (Jr. Division), Panipat has wrongly dismissed the application under Order XVIII Rule 2 of CPC for permission to lead evidence filed by the petitioner.

3. I have heard learned counsel for the petitioner and perused the whole file of the case with her able assistance.

4. A perusal of the record shows that petitioner/defendant was proceeded against *ex parte* on 18.12.2023. His application for setting aside *ex parte* order dated 18.12.2023 was dismissed on 13.05.2025, challenging which he filed CR-4917-2025 before this court. This court on 30.07.2025 dismissed the same on the ground that impugned order in the civil revision dated 13.05.2025 did not require any interference by this court, since the application for setting aside *ex parte* order dated 18.12.2013 was moved on 09.01.2025, i.e. after a gap of more than one year. Whereas, the limitation



prescribed as per the statutory provision is 30 days from the date of order or from the date of knowledge. Once the *ex parte* order is not set aside, the petitioner could not even move an application under order XVIII rule 2 of CPC for permission to lead evidence. Learned Civil Judge (Jr. Division), Panipat has rightly observed that until and unless order dated 18.12.2023 proceeding the petitioner *ex parte* is not set aside, he has no right to move an application for leading evidence. The party who was proceeded against *ex parte*, without setting aside that order of *ex parte*, cannot lead evidence as well.

5. In the present case, admittedly, the petitioner was proceeded against *ex parte* vide order dated 18.12.2023, which has attained finality.

6. Therefore, I do not find any infirmity in order dated 10.03.2026, passed by learned Civil Judge (Jr. Division), Panipat and the same is upheld.

7. Accordingly, the present civil revision is **dismissed** being devoid of any merit.

8. Pending miscellaneous applications, if any, are also disposed of.

04.05.2026

Saahil/Ayub

(SUDEEPTI SHARMA)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No