



CR-3633-2026

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

(121)

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Date of Decision:-30.04.2026

Nishi Arora

.....Petitioner

Versus

Surinder Kumar Sethi and Others

.....Respondents

CORAM: HON'BLE MR. JUSTICE AMARINDER SINGH GREWAL

Present: Mr. A.P.S. Sandhu,
for the petitioner.

AMARINDER SINGH GREWAL, J. (Oral)

1. The present petition has been filed under Article 227 of the Constitution of India for setting aside the order dated 06.08.2025 (Annexure P-3), passed by the learned Civil Judge (Junior Division), Amritsar in Civil Suit No. 6058 of 2018 titled "*Nisha Arora vs. Tejinder Singh & Others*", whereby the evidence of the petitioner has been closed by order of the Court.

2. Briefly stated, the facts are that the petitioner-plaintiff instituted a suit for declaration, possession, mandatory injunction, and mesne profits against the respondents-defendants. The respondents filed their written statement, whereafter the learned trial Court framed issues and adjourned the case for the petitioner's evidence. However, vide the impugned order dated 06.08.2025, the learned trial Court closed the

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evidence of the petitioner-plaintiff by order of the Court, except for the cross-examination of PW-8. Hence, the present petition.

3. Learned counsel for the petitioner submits that the petitioner was not afforded adequate and reasonable opportunity to conclude her evidence, and closure of the same at this stage would cause grave prejudice to her case. It is further submitted that although vide order dated 06.08.2025, the remaining evidence of the plaintiff was closed (except for cross-examination of PW-8 – Nishi Arora) and the case was adjourned for 29.08.2025. It is contended that on 29.08.2025, an adjournment was sought by proxy counsel for the defendants, and the case was adjourned to 12.09.2025. On 12.09.2025, though PW-8 was present, the matter was adjourned due to non-appearance of counsel for the defendants. Thereafter, on 01.10.2025 and 07.11.2025, adjournments were again sought by the defendants. On 07.11.2025, despite the presence of PW-8, cross-examination could not be conducted as the witness was unwell. On 15.12.2025, no PW was present and the matter was adjourned to 06.01.2026. On 06.01.2026, it was stated that PW-8 had met with an accident, and the case was adjourned to 02.02.2026. On 02.02.2026, no work was conducted due to a strike by the Bar Association, Amritsar, and the case was adjourned to 25.02.2026. On 25.02.2026, PW-8 appeared and her examination was completed, whereafter the remaining evidence was again closed by the Court and the matter was adjourned for the defendants' evidence.

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3.1 It is further argued that two contradictory orders dated 06.08.2025 exist. One order reflects that the case was adjourned to 29.08.2025 as a last opportunity for the evidence of the petitioner-plaintiff, and the same stands uploaded on the official website of the Court. However, another order of the same date on the trial Court record indicates that the evidence of the plaintiff was closed by order of the Court (except for cross-examination of PW-8). It is thus contended that the said contradiction requires rectification, and the petitioner seeks only one effective opportunity to conclude her entire evidence.

4. I have heard learned counsel for the petitioner and perused the paper book.

5. 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 expense.

6. Having considered the submissions and perused the record, this Court is of the opinion that the learned trial Court adopted an unduly strict approach in closing the evidence of the petitioner at this stage.

7. Accordingly, the present petition is allowed. The order dated 06.08.2025 passed by the learned Civil Judge (Junior Division), Amritsar is set aside. The petitioner is granted one effective opportunity to conclude her entire evidence.

8. The petitioner shall appear before the learned trial Court on the date already fixed or on any date to be fixed by the trial Court, and shall be afforded one effective opportunity to conclude her evidence.



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9. It is made clear that no further opportunity shall be granted beyond the aforesaid one chance, and in case of default, the trial Court shall be at liberty to proceed further in accordance with law.
10. The Registry is directed to forward a copy of this order to learned Civil Judge (Junior Division), for compliance.
11. Further, a perusal of the case file along with the zimni orders available on the trial Court portal reveals that the order dated 06.08.2025 uploaded on the website reflecting that the case was adjourned to 29.08.2025 for evidence of the petitioner-plaintiff appears to have been uploaded inadvertently, evidently on account of a clerical or technical error, possibly due to workload. The learned trial Court is directed to rectify the said discrepancy forthwith. The learned District & Sessions Judge concerned shall also ensure that due care is exercised while uploading orders and that the workload is managed in such a manner that the staff of the Sessions Division is not unduly burdened.
12. All pending application(s), if any, stand disposed of accordingly.

(AMARINDER SINGH GREWAL)
JUDGE

30.04.2026
Shubham

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