

2026:PHHC:066883



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

128

CR-3648-2026

Date of decision :30.04.2026

MUKHTIAR SINGH

... PETITIONER

VERSUS

JASWINDER KAUR AND ANOTHER

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE PARMOD GOYAL

Present: Mr. Bhupinder Banga, Advocate
for the petitioner.

PARMOD GOYAL, J. (ORAL)

1. The present revision petition has been preferred by the petitioner–defendant under Article 227 of the Constitution of India for setting aside the impugned order dated 08.04.2026 passed by the Additional Civil Judge (Senior Division), SBS Nagar, whereby the defence of the petitioner–defendant has been struck off.

2. Learned counsel for the petitioner–defendant submits that the learned Court has wrongly closed the evidence of the defendant by observing that the defendant had already availed six opportunities. It is asserted that the evidence of the plaintiff was closed on 09.12.2025, and thereafter the defendant had availed only three opportunities, i.e., on 06.02.2026, 09.03.2026, and 08.04.2026. However, on 08.04.2026 his defence was closed. He has placed reliance upon the zimni orders passed by the concerned Court.

3. On consideration, I find that the petitioner has been granted only

three opportunities, and in the facts and circumstances of the present case, it would be in the interest of justice to grant one more effective opportunity to the petitioner to conclude his entire evidence. The entire evidence shall be concluded by taking *Dasti* notices of the summoned witnesses, if any. However, it is made clear that in case the summoned witnesses are duly served and the report is placed before the Court, the Court shall not close the evidence on their absence and shall ensure the presence of such witnesses through Court process.

4. Accordingly, the present revision petition is disposed of in the above terms. The impugned order dated 08.04.2026 is set aside to the extent indicated herein.

5. Pending miscellaneous application(s), if any, also stand(s) disposed of accordingly.

30.04.2026
manoj

(PARMOD GOYAL)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	Yes/No