



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

**CR No. 4224 of 2026 (O&M)
DATE OF DECISION: 20.05.2026**

RANJIT SINGH

.....PETITIONER

Vs.

AMRIK SINGH AND OTHERS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE AMARINDER SINGH GREWAL

Present: Mr.Sukhveer S. Killianwali, Advocate,
for the petitioner.

AMARINDER SINGH GREWAL, J.(ORAL)

1. Prayer in the present Civil Revision Petition filed under Article 227 of the Constitution of India is for setting aside the impugned orders dated 25.03.2026 (Annexure P-1) and 04.05.2026 (Annexure P-2), passed by the learned Civil Judge (Junior Division), Patti, Amritsar, in case No. CS-306-2020, whereby the opportunity of the petitioner/plaintiff to cross-examine DWs was treated as 'Nil'.

2. Brief facts of the case are that the petitioner has filed a suit for declaration against the respondents to the effect that he is owner in possession of the suit property, as detailed in the plaint, and has also challenged the mutation etc. Notice of the suit was issued to the respondents, who appeared before the learned trial Court and filed their written statement. Thereafter, issues were framed. The present petitioner led his evidence and thereafter, the case was fixed for evidence of the respondents-defendants.



2.1 Further, as per the impugned order dated 25.03.2026 (Annexure P-1), DW-2 Gurpreet Singh and DW-3 Kashmir Singh were present, however, they were not cross-examined and accordingly, their cross-examination was treated as 'Nil'. Thereafter, the present petitioner moved an application under Section 151 of the Code of Civil Procedure, 1908 seeking one opportunity to cross-examine the aforesaid witnesses. Notice in the said application was issued to the respondents. The learned Civil Judge (Junior Division), Patti, after hearing learned counsel for the parties, dismissed the said application vide impugned order dated 04.05.2026 (Annexure P-2) by observing that no explanation had been furnished by learned counsel for the petitioner/plaintiff as to why DW-2 and DW-3 were not cross-examined despite their presence in Court on 25.03.2026.

3. Learned counsel for the petitioner has contended that on 25.03.2026, there was a strike call given by the Bar Association, Patti and as such, the said witnesses could not be cross-examined.

3.1 It is further submitted that one effective opportunity may be granted to the petitioner to cross-examine the aforesaid DWs, as valuable rights of the petitioner are involved and such cross-examination is necessary for proper adjudication of the case.

4. Since the prayer made by learned counsel for the petitioner is innocuous in nature, this Court feels that issuance of notice to the respondents would unnecessarily delay the proceedings and therefore, issuance of notice to the respondents is dispensed with.



5. Keeping in view the submissions raised by learned counsel for the petitioner, this Court deems it appropriate to grant one effective opportunity to the petitioner to cross-examine DW-2 and DW-3.

6. Accordingly, without making any comment on the actual merits of the case, the present petition is allowed and the impugned orders dated 25.03.2026 (Annexure P-1) and 04.05.2026 (Annexure P-2) are set aside. The petitioner is directed to appear before the learned trial Court on the date already fixed, whereupon the learned Civil Judge (Junior Division), Patti, Amritsar, shall grant one effective opportunity to the petitioner to cross-examine DW-2 and DW-3.

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

MAY 20, 2026

(AMARINDER SINGH GREWAL)

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JUDGE

Whether Speaking

Yes

Whether Reportable

No