

111-3

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

**CR No.3920 of 2023**

**Date of decision : 30.04.2026**

Julian Alexander

....Petitioner

Versus

Union of India and others

...Respondents

**CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN**

Present : Mr. R.S. Bains, Senior Advocate with  
Mr. Sanjiv Kumar Yadav, Advocate  
for the petitioner.

Mr. Vikrant Pamboo, Advocate  
for respondent No.10.

**PANKAJ JAIN, J. (ORAL)**

The present revision petition is directed against order dated 19.05.2023 whereby evidence of the plaintiff was ordered to be closed on the ground that he has already availed 28 effective opportunities to conclude evidence but again seeks further opportunity.

2. Plaintiff No.2 thereafter filed application seeking review of the aforesaid order dated 19.05.2023 which stands declined by consolidated order dated 31.05.2023 whereby three different applications were decided by Civil Judge (Junior Division), Ambala.

3. Ld. Senior Counsel representing the petitioner submits that from the *zimni* orders (Annexure P-12), it is evident that repeated adjournments were being sought by the counsel for the defendants to cross-examine the witnesses of the plaintiff and thus the Trial Court erred in holding that the plaintiff could not conclude evidence despite availing 28 effective opportunities. He further submits that the plaintiff is only required to submit documentary evidence and thus, he should be granted one effective opportunity to do so.

4. Mr. Pamboo has opposed the prayer made by counsel for the petitioner and submits that the conduct of the plaintiff is evident from the record. Despite the suit being 10 years old and having availed 28 effective opportunities, plaintiff failed to conclude his evidence. He submits that the evidence that the petitioner/plaintiff wants to produce cannot be allowed to be tendered for mode of proof.

5. Be that as it may, this Court finds that since the plaintiff only wants to tender documentary evidence, the Trial Court ought to have allowed him one opportunity.

6. Accordingly, the impugned order is modified to the extent that the plaintiff shall be granted one effective opportunity to tender documentary evidence. He will not be allowed to lead any ocular evidence.

7. It is made clear that the opportunity granted by this Court *qua* tendering of documentary evidence, will not absolve the plaintiff from

proving the said documents. The same is subject to mode of proof in accordance with law.

8. The instant revision petition is disposed off accordingly.
9. Pending application, if any, shall also stand disposed off.

**April 30, 2026**

**(Pankaj Jain)**

Dpr

## Judge

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No