



IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CR-6174-2019

Date of decision : 27.05.2026

Amarjit Singh and another

... Petitioners

Versus

Satnam Singh and others

... Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Vikas Gupta, Advocate
for the petitioners.

VIKAS BAHL, J.(ORAL)

1. This is a Civil Revision Petition filed under Article 227 of the Constitution of India for setting aside the impugned order dated 06.09.2019 (Annexure P-1) passed by the trial Court vide which the evidence of the plaintiffs-petitioners has been closed by order.

2. Learned counsel for the petitioners has submitted that the petitioners have filed a suit for declaration to the effect that the plaintiffs are owners in possession as co-sharers of the land in question and has submitted that the delay in the proceedings would primarily prejudice the petitioners. It is submitted that on 14.12.2018, two plaintiff witnesses were present and they were examined-in-chief and their cross-examination was deferred on the request of learned counsel for the defendants and the case was adjourned



to 18.01.2019. It is submitted that on 18.01.2019, again the witnesses of the plaintiffs were present but on the request of learned counsel for the defendants, the case was adjourned to 08.02.2019 and that on 08.02.2019, an additional issue was framed. It is submitted that thereafter on certain dates, the Court did not hold proceedings and on some occasion no witness of the plaintiffs was present and the trial Court closed the evidence of the petitioners on 06.09.2019. It is submitted that in case the petitioners are not permitted to lead their entire evidence, then, they would suffer irreparable loss. It is submitted that for the inconvenience caused to the defendants no.1 and 2, they are ready to pay adequate costs. It is further submitted that defendant no.3 has already been proceeded against ex-parte.

3. Notice of motion was issued in the present case by the Coordinate Bench of this Court on 27.09.2019 and the trial Court was directed to give a date beyond the said date. Respondents no.1 and 2 have been served as was recorded in the order dated 18.04.2023 and none has appeared on behalf of respondents no.1 and 2. As has been stated hereinabove, respondent no.3 is proceeded against ex-parte before the trial Court. Today also no one has appeared on behalf of respondents no.1 and 2 to oppose the present petition.

4. Keeping in view the above said facts and circumstances, this Court is of the opinion that one last effective opportunity should be granted to the petitioners to lead their entire evidence subject to cost. Accordingly, the present petition is partly allowed and the impugned order dated

2026.PHHC.084615



06.09.2019 is set aside and the petitioners are granted one last effective opportunity to lead their entire evidence subject to the petitioners depositing cost of Rs.20,000/- within a period of one month from today which would be released by the trial Court to respondents no.1 and 2 in equal proportion.

5. It is made clear that in case the said amount is not deposited within the aforesaid period, then, the present petition shall be deemed to have been dismissed.

(VIKAS BAHL)
JUDGE

May 27, 2026.
Davinder Kumar

Whether speaking / reasoned	Yes/No
Whether reportable	Yes/No