

CR-8713-2025 (O&M)

2026.PHHC.080747



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

**CR-8713-2025 (O&M)**

**Date of decision : 21.05.2026**

Rajinder Kaur & anr.

..... Petitioners

Versus

Dharam Pal & ors.

..... Respondents

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

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Present :- Ms. Avin Sandhu, Advocate  
Mr. Abhinav Kaushik, Advocate  
for the petitioners.

Mr. Arjun Shukla, Advocate  
Mr. Charanjiv Singh Rana, Advocate  
for the respondents.

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

1 Instant revision petition is directed against the order dated 12.09.2025 passed by Civil Judge (Junior Division), Dera Bassi (Annexure P-I) whereby application filed by the plaintiffs seeking an effective opportunity to complete the cross-examination of PW-2 Angad Makkar has been declined. For convenience, parties hereinafter are referred to by their original position in the suit, i.e. the petitioners as plaintiffs and the respondents as defendants.

2 As per petitioners, plaintiff No.2 Angad Makkar appeared as PW2. He was partly cross-examined on 27.01.2020. His cross-examination was deferred to 05.02.2020 and thereafter to 05.03.2020. In March 2020 the



Courts were closed on account of COVID-19. The fact with respect to pendency of the cross-examination of Angad Makkar escaped the attention of the counsel for the plaintiffs. Evidence of plaintiffs was closed on 07.07.2022. The plaintiff filed application seeking opportunity for cross examination of PW2 Angad Makkar.

3 The application stands dismissed by the Trial Court observing that the suit is of the year 2015. Plaintiffs have availed numerous opportunities. The case remained pending for rebuttal evidence for three years, yet the present application was moved at the fag end of the trial.

4 Counsel for the plaintiffs submits that the mistake on behalf of the plaintiffs is a *bonafide* owing to closure of the Courts in between on account of COVID-19. PW-2 undertakes to remain present for cross-examination on the next date of hearing i.e. 25.05.2026 and prays that an effective opportunity be granted.

5 *Per contra* counsel for the defendants would submit that the conduct of the plaintiffs is evident from the record. The intent is only to delay the trial.

6 Having heard learned counsel for the parties and after going through records of the case, this Court finds that it would be the interest of justice that the plaintiffs are granted one opportunity to present PW-2 for his cross-examination subject to payment of Rs.50,000/- costs to be paid to the contesting defendants. Respondent No. 3, who is stated to be present in person and conducting the litigation on behalf of the defendants, shall be entitled to receive the costs on behalf of defendants No. 1 to 5. Thereafter defendants would be granted one opportunity to lead rebuttal evidence, if any.



7           The impugned order is accordingly set aside. With the aforesaid direction, the present revision petition is disposed off.

8           Pending miscellaneous application, if any, also stands disposed off.

21.05.2026  
Pooja Sharma-I

( PANKAJ JAIN )  
JUDGE

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|----------------------------|--------|
| Whether speaking/reasoned: | Yes/No |
| Whether reportable:        | Yes/No |