



CR-9625-2025

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

(119)

CR-9625-2025

Date of Decision:-02.02.2026

Lavish and Another

.....Petitioner

Versus

Baljit Singh

.....Respondents

CORAM: HON'BLE MR. JUSTICE AMARINDER SINGH GREWAL

Present: Mr. Gaurav Grover, Advocate, and
Ms. Charu Sharma, Advocate, and
Ms. Aditi Sharma, Advocate,
for the petitioner.

AMARINDER SINGH GREWAL, J. (Oral)

1. The present petition has been filed under Article 227 of the Constitution of India for setting aside the impugned order dated 23.08.2024 (Annexure P-2), passed by the learned Civil Judge (Junior Division), Patiala, whereby the evidence of the plaintiff was closed by Court order; as well as the order dated 09.07.2025 (Annexure P-4), whereby the application for re-opening of the plaintiff's evidence on medical grounds was dismissed; and the order dated 01.10.2025 (Annexure P-5), whereby the cross-examination of DW-1 was closed.

2. Briefly, the facts are that the petitioners' case has been pending before learned trial Court for 12.02.2026. Vide order dated

***CR-9625-2025***

23.08.2024, learned trial Court closed the evidence of plaintiff by court order and fixed for 11.09.2024 for evidence of defendants. That the learned trial Court had also dismissed the application for reopening the plaintiff's evidence on medical ground, filed by the petitioner, vide order dated 09.07.2025. That on 01.10.2025, DW1 came present however, not cross-examined by counsel for the plaintiff, therefore, cross-examination of DW1 is ordered to be treated as Nil. Hence, the present petition.

3. Learned counsel for the petitioner submits that the petitioner was not afforded an adequate and reasonable opportunity to conclude the evidence. He further submits that on 10.01.2024, the petitioners/plaintiffs were attacked by a rival party, resulting in critical injuries to petitioner No.1, who sustained multiple injuries and remained admitted to Rajindra Hospital, Patiala, for about a week. An FIR was also registered against the accused persons. Owing to these circumstances, there was an unavoidable delay in the proceedings of the civil suit. It is contended that closing of the evidence of the petitioner at this stage would cause grave prejudice to his rights and adversely affect the fair trial of the case. Thus, for proper adjudication of the matter and in view of the valuable rights involved, it is necessary to grant one effective opportunity to the petitioner to conclude the evidence.

4. I have heard learned counsel for the petitioners and perused the paper book.

5. In view of the order proposed to be passed, notice is not being issued to respondents as it would delay the proceedings besides entailing



CR-9625-2025

additional expenses to the respondent.

6. After hearing learned counsel for the petitioners and upon perusal of the case record, this Court is of the considered view that, in view of the valuable rights of the petitioners involved in the present case and the fact that the delay occurred on account of the petitioner’s medical condition, it would be in the interest of justice to grant one effective opportunity to conclude the evidence.

7. Accordingly, the present petition is allowed, without commenting on the merits of the case. The impugned orders dated 23.08.2024, 09.07.2025, and 01.10.2025, passed by the learned Civil Judge (Junior Division), Patiala, are hereby set aside, subject to payment of costs of ₹5,000/- to be deposited by the petitioner with the District Legal Services Authority, Patiala.

8. The petitioner shall appear before the learned trial Court on the date already fixed, and upon production of the receipt evidencing deposit of the costs, the trial Court shall grant one effective opportunity to the petitioner to conclude the entire evidence.

9. The Registry is directed to forward a copy of this order to learned Civil Judge (Junior Division), Patiala, for compliance.

10. All pending application(s), if any, stand disposed of accordingly.

(AMARINDER SINGH GREWAL)
JUDGE

02.02.2026
Shubham

Whether speaking/reasoned:-	Yes/No
Whether Reportable:-	Yes/No