



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CR-9493-2025 (O&M)

Date of Decision: January 14, 2026

TARPREET KAUR

.....Petitioner

Vs.

SURINDER KAUR AND ORS.

.....Respondents

CORAM: HON'BLE MRS. JUSTICE SUDEEPTI SHARMA

Present: Mr. R.K. Arya, Advocate
for the petitioner.

SUDEEPTI SHARMA J. (Oral)

1. Present petition has been preferred by the petitioner/plaintiff for setting aside order dated 26.11.2025 passed by learned Civil Judge (Sr. Division), Gurdaspur whereby evidence of the petitioner/plaintiff was closed.

2. Learned counsel for the petitioner/plaintiff contends that on 26.11.2025, he examined only one witness and only two witnesses are left to be examined. He further contends that since on 26.11.2025, only one witness was cross examined and out of other two remaining witnesses who were to be examined one was mother of the petitioner/plaintiff. Just on the apprehension that the cross examination would not be completed on 26.11.2025 and one of the witnesses being a lady, therefore, he did not think it appropriate to call the witnesses. He further submits that the next date of hearing before learned Civil Judge (Sr. Division), Gurdaspur is 15.01.2026 and two effective opportunities be granted to the petitioner/plaintiff to examine her two remaining witnesses.

3. I have heard learned counsel for the petitioner/plaintiff and perused the whole file of this case with his able assistance.



4. The averments made in the present petition shows that non-examination of remaining two witnesses was not intentional and a *lis* should be decided on merits, therefore, justice demands that two effective opportunities are required to be granted to the petitioner/plaintiff to cross examine two remaining witnesses.

5. In view of the above, the present revision petition is allowed, subject to payment of cost of Rs.5,000/- to be deposited by the petitioner in the PGIMER, Chandigarh Poor Patient Fund.

6. Since the next date of hearing before learned Civil Judge (Sr. Division), Gurdaspur is stated to be 15.01.2026, learned Civil Judge (Sr. Division), Gurdaspur is directed to grant two effective opportunities to the petitioner to examine two remaining witnesses on the next date of hearing i.e. 15.01.2026, subject to production of receipt of cost Rs.5000/- as imposed today.

7. In the event that the hearing scheduled for 15.01.2026 does not take place for any reason and matter is adjourned, the petitioner shall be granted two effective opportunities to examine two remaining witnesses on the next date of hearing.

8. In view of the above, order dated 26.11.2025 passed by learned Civil Judge (Sr. Division), Gurdaspur is set aside to the extent of closing the evidence of the petitioner/plaintiff.

9. Pending application (s), if any also stands disposed of.

January 14, 2026

Gaurav Arora

**(SUDEEPTI SHARMA)
JUDGE**

Whether speaking/non-speaking : Yes/No

Whether reportable : Yes/No