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145 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR No. 3186 of 2026 (O&M)
DATE OF DECISION: 20.04.2026

BUNA RAM ALIAS SATPAL

.....PETITIONER

Vs.

SULAKHAN

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AMARINDER SINGH GREWAL

Present: Mr. Kuldeep Singh Siwach, Advocate,
for the petitioner.

AMARINDER SINGH GREWAL, J.

1. Prayer in the present Civil Revision Petition filed under Article 227 of the Constitution of India is for setting aside the impugned order dated 15.01.2026 (Annexure P-4) and the order dated 22.01.2026 (Annexure P-5), passed by the learned Additional Civil Judge (Senior Division), Ratia, in Civil Suit No. 17 of 2022 titled as '*Sulakhan vs. Buna Ram @ Satpal*', whereby the evidence of the petitioner stands closed.

2. Brief facts of the case are that the respondent, Sulakhan son of Om Parkash, had filed a suit for possession of the suit property against the present petitioner, Buna Ram son of Chander Bhan. Notice of the suit was given to the present petitioner, who contested the suit by filing the written statement (Annexure P-2). In the written statement, the present petitioner-defendant contended that the father of the respondent-plaintiff, namely Om Parkash, had sold the suit property to the present petitioner for a consideration of ₹45,000/- and had also executed a writing in this behalf on

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21.11.2011 after receiving the sale consideration. After completion of pleadings, issues were framed. The respondent-plaintiff closed his evidence.

2.1 Further, in the impugned order dated 15.01.2026 (Annexure P-4), it was recorded that the cross-examination of DW-3, namely Pappu, was conducted by the Court Commissioner, Sh. Deepak Kumar, Advocate, and the same stood completed, and another defence witness, namely Dev Raj, was present and examined as DW-4. At that stage, learned counsel for the petitioner-defendant before the trial Court made a statement that he had closed the oral evidence of the defendant while reserving the right to tender documents. Accordingly, the case was adjourned to 22.01.2026 for documentary evidence as well as for rebuttal evidence.

2.2 On 22.01.2026 (Annexure P-5), no documentary evidence on behalf of the defendant was filed by the present petitioner and, as such, the same was closed by the Court order, and the case was fixed for rebuttal evidence, if any, and for arguments.

3. Learned counsel for the petitioner contended that the present petitioner had wrongly made a statement that he had closed the oral evidence while reserving the right to tender documents. It was further contended that, in fact, the petitioner intended to examine a handwriting and fingerprint expert regarding the writing dated 21.11.2011, vide which the father of the respondent, namely Om Parkash, had sold the suit property to the petitioner. Thus, it was submitted that closure of the evidence inadvertently by the petitioner goes to the root of the present case, as there was no intention on the part of the petitioner to close his evidence on

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15.01.2026, and as such, a prayer was made that the orders dated 15.01.2026 and 22.01.2026 (Annexures P-4 and P-5, respectively) be set aside.

4. In view of the facts of the present case, this Court is of the opinion that issuance of notice to the respondent would unnecessarily delay the proceedings; as such, issuance of notice to the respondent is dispensed with.

5. After hearing the submissions of learned counsel for the petitioner, this Court is of the considered opinion that the petitioner had availed as many as 14 opportunities to lead his evidence. In case the petitioner wanted to examine a handwriting and fingerprint expert with respect to the writing dated 21.11.2011, the petitioner could have examined the same in his affirmative evidence. At this stage, the petitioner cannot be permitted to take the plea that he had inadvertently made a statement before the trial Court thereby closing his evidence on 15.01.2026. Moreover, nothing was got recorded by the petitioner on 15.01.2026 regarding the documents which he intended to tender on the next date of hearing, i.e. 22.01.2026. Thus, when no document was placed on record on 22.01.2026, the learned trial Court had no option but to close the evidence of the petitioner and rightly fixed the case for rebuttal evidence, if any, and for arguments.

6. Since the petitioner himself had closed his evidence, in the given circumstances, the impugned orders cannot be set aside.

7. Thus, this Court finds no merit in the prayer for setting aside the orders dated 15.01.2026 and 22.01.2026 (Annexures P-4 and P-5



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respectively) passed by the learned Additional Civil Judge (Senior Division), Ratia.

8. Finding no illegality in the orders dated 15.01.2026 and 22.01.2026 (Annexures P-4 and P-5 respectively), the present revision petition, being devoid of merit, is accordingly dismissed.

9. Pending miscellaneous application(s), if any, shall also stand disposed of.

APRIL 20, 2026

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Whether Speaking

Whether Reportable

(AMARINDER SINGH GREWAL)

JUDGE

Yes

No