



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

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**Civil Revision No.3298 of 2026 (O & M)
Date of decision :-20.04.2026**

Ramesh

.....Petitioner

Versus

Dakshin Haryana Bijli Vitran Nigam and others

.....Respondents

CORAM:- HON'BLE MS. JUSTICE NIDHI GUPTA

Present:- Mr. Sandeep Kotla, Advocate
for the petitioner.

NIDHI GUPTA J. (Oral)

Prayer in the present revision petition is for setting aside the impugned order dated 16.3.2026 (Annexure P-5) passed by the learned Additional Civil Judge (Sr. Divn.), Siwani, whereby the remaining evidence of the plaintiff and evidence qua his cross-examination has been closed by Court order.

On 16.3.2026 the following impugned order was passed by the learned Additional Civil Judge (Sr. Divn.), Siwani :-

“Today the case came up for evidence of plaintiff as well as payment of cost of Rs. 1,000/- to opposite party. Cost not paid. No evidence of plaintiff is present despite extended last opportunity. Adjournment sought. Heard &



perused the records. Perusals of case records shows affording of thirteen effective opportunity to the plaintiff to conclude evidence but despite of that failed to do so. No reasonable cause/reason advanced for non presence of evidence as well as for adjournment despite of extended last opportunity. Under such circumstances, no further adjournment for plaintiff's evidence is justified. Hence, evidence of the plaintiff is closed by Court order. Now the case is adjourned to 13.04.2026 for evidence of defendants at own responsibility as well as making the payment of cost by plaintiff. Till then, interim order to continue.”

The brief facts of the case are that the petitioner/plaintiff has filed a suit for permanent prohibitory injunction seeking to restrain the defendants/respondents from interfering with the peaceful use of an electricity connection installed at his tubewell (Meter Account No. B21KA533660) situated in Village Mohila, Tehsil Siwani, District Bhiwani. It is asserted that the petitioner has been regularly paying all electricity dues and is lawfully using the connection, with no outstanding liability. The plaintiff also sought protection against illegal and forcible disconnection of the said connection.

Upon notice, the defendants/respondents filed their written statement. Issues were framed by the learned Trial Court on 06.05.2024, and the case was fixed for plaintiff's evidence.

The matter thereafter underwent multiple adjournments for recording of evidence and arguments on the interim injunction



application. On 05.08.2024, one witness (PW Ramesh) was examined. The plaintiff himself also appeared as PW1 and was duly examined and cross-examined. However, despite several opportunities (some subject to costs and the last being marked as a final opportunity), the remaining evidence could not be concluded, leading to the passing of the impugned order dated 16.03.2026.

Although multiple opportunities were granted, the petitioner contends that sincere efforts were made to produce the remaining witness(es), but the same could not be done due to circumstances beyond control.

Accordingly, the petitioner seeks indulgence of this Hon'ble Court for setting aside the impugned order dated 16.03.2026 and granting one effective opportunity to lead remaining evidence, in the interest of justice.

At this stage, learned counsel submits that the petitioner would suffer irreparable loss if the impugned order dated 16.3.2026 (Annexure P-5) is not set aside. At the very outset, learned counsel submits that one effective opportunity may be granted to the petitioner herein to conclude his evidence, as grave injustice will be caused to him if he is not permitted to do so.

After hearing learned counsel for the petitioner, issuance of notice of motion is dispensed with at this stage, as it will cause further delay in disposal of the case. Accordingly, keeping in view the above facts as canvassed by learned Counsel for the petitioner, this petition is allowed and impugned order dated 16.3.2026 (Annexure P-



5) is set aside. The learned Court below is directed to grant one effective opportunity to enable the petitioner herein to conclude his evidence, however subject to payment of Rs.30,000/- as costs to be deposited within one week from today in the “Poor Patients’ Welfare Fund of the Post Graduate Institute of Medical Education and Research (PGIMER), Chandigarh”, failing which, the revision petition shall stand automatically dismissed, without further reference to this Court.

Disposed of as above.

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

April 20, 2026

Vijay Asija

(NIDHI GUPTA)
JUDGE

Whether speaking/reasoned Yes / No

Whether Reportable Yes / No