



2026:PHHC:039250



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

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CR-2415-2026

Date of Decision.:13.03.2026

Jagdish Singh Rehal

.....Petitioner

Vs.

Awtar Singh Rehal and Others

.....Respondents

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Nippun Sharma, Advocate
for the petitioner.

DEEPAK GUPTA, J. (ORAL)

The present revision petition has been filed by defendant No.1 of Civil Suit No. 4196 of 2018 titled 'Awtar Singh Rehal vs. Jagdish Singh Rehal', pending before Ld. learned Civil Judge (Senior Division)/NRI Court, Jalandhar. He has assailed the order dated 06.01.2026 (Annexure P-11), passed by the trial court, whereby his application under Section 151 of the Code of Civil Procedure, 1908 seeking discarding of the alleged power of attorney/vakalatnama, written statement, reply to stay application and subsequent replies filed through Ms. Monika, Advocate, was dismissed.

2. Briefly noticed, the petitioner-defendant No.1 moved an application before the trial Court contending that he had never engaged Ms. Monika, Advocate to represent him in the suit and had not signed the power of attorney, written statement or replies filed in the proceedings. It was alleged that the signatures appearing on those documents were forged and that the said counsel had appeared without his authorization. On this basis, a prayer was made that the power of attorney/vakalatnama and pleadings filed on his behalf be discarded.



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3. The application was contested by the other parties, who submitted that the application had been moved only with an intention to delay the proceedings. It was pointed out that the counsel in question had been representing the petitioner since the year 2018 and had actively participated in the proceedings, including cross-examination of witnesses on behalf of the petitioner.

4. After hearing the parties and examining the record, the learned trial Court dismissed the application observing that the power of attorney and written statement had been filed on behalf of the petitioner as far back as 23.07.2018, and thereafter, the counsel continued to represent him throughout the proceedings. The Court also noticed that the petitioner himself had appeared before the Court as a witness on 27.05.2024, which clearly demonstrated his knowledge of the proceedings. The trial Court further observed that despite such knowledge, the present application was filed only on 03.10.2025, without any plausible explanation for the inordinate delay. The Court also recorded that the petitioner had neither sought comparison of the alleged forged signatures with his admitted signatures nor initiated any civil or criminal proceedings against the counsel, who allegedly represented him without authority. On these grounds, the application was dismissed.

5. Learned counsel for the petitioner submits that the trial Court failed to properly appreciate the allegation of forgery and ought to have ordered an inquiry before rejecting the application.

6. I have heard learned counsel for the petitioner and have perused the paper-book.

7. From the record, it is evident that the counsel in question had been representing the petitioner since 2018, had filed written statement and other pleadings on his behalf and had also cross-examined witnesses of the plaintiff. The proceedings thereafter continued for several years and the case had reached the stage of rebuttal evidence.



8. Significantly, the petitioner himself appeared before the Court on 27.05.2024 and participated in the proceedings. Despite being aware of the pendency and progress of the case, he chose to file the present application only on 03.10.2025, i.e. after a lapse of several years. The belated challenge to the authority of counsel, without any supporting material, clearly indicates that the application was moved with an oblique motive.

9. It is equally noteworthy that the petitioner did not take any steps to substantiate the allegation of forgery. No application for comparison of signatures by a handwriting expert was moved and no criminal complaint or civil action was initiated against the concerned counsel. In the absence of any such steps, the bald allegation of forgery made at a highly belated stage cannot be accepted.

10. The conduct of the petitioner, therefore, clearly suggests that the present application was filed only to retract the stand already taken in the written statement and to delay the proceedings of the suit, which had reached an advanced stage. Such conduct amounts to an abuse of the process of Court and cannot be encouraged.

11. It is well settled that the scope of revisional jurisdiction under Section 115 CPC is well settled and circumscribed. The High Court does not function as an appellate forum over orders passed by subordinate Courts. Its jurisdiction is essentially supervisory and is confined to correcting jurisdictional errors. Interference is justified only where the subordinate Court has exercised jurisdiction not vested in it by law, has failed to exercise jurisdiction so vested, or has acted with material irregularity in the exercise of such jurisdiction. The revisional Court is, therefore, concerned with the legality and jurisdictional propriety of the impugned order and cannot re-assess the evidence or substitute its own view merely because another view on the facts may be possible.

12. Tested on the touchstone of the aforesaid principles, this Court



finds that the impugned order passed by the learned trial Court is based upon proper appreciation of the material available on record. No jurisdictional error, illegality or material irregularity has been pointed out which would warrant interference by this Court in exercise of its revisional jurisdiction.

13. On the contrary, the application filed by the petitioner appears to be a belated attempt to derail the proceedings of the suit. Courts cannot permit litigants to resile from their own pleadings after several years of participation in the proceedings, particularly when such a plea is unsupported by any credible material.

14. Consequently, finding no merit in the present revision petition, the same is dismissed.

(DEEPAK GUPTA)
JUDGE

March 13, 2026

Neetika Tuteja

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No