

GAHC010070412024



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : CRP(IO)/117/2024

JHUMARMAL SHARMA
S/O LATE SHIVJIRAM SHARMA,
RESIDENT OF SIPATHAR, PO SILAPATHAR, DIST DHEMAJI, ASSAM

VERSUS

SANJAY KUMAR AGARWALLA
S/O LATE BHOLA RAM AGARWALLA, RESIDENT OF M/S BHOLARAM
AGARWALLA, NEW MARKET PO AND PS AND DIST DIBRUGARH, ASSAM

Advocate for the Petitioner : MR R SENSUA

Advocate for the Respondent :

BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA

ORDER

Date : 04.04.2024

Heard Mr. R. Sensua, learned counsel appearing for the petitioner.

This is an application under Article 227 of the Constitution of India challenging the order dated 19.12.2023 passed by the Civil Judge, (Junior Division No.1), Dhemaji, in T.S. No.10/2019.

The petitioner is the defendant in the trial Court. On 19.12.2023, the case was posted for cross-examination of the witness of the plaintiff and the present petitioner being the defendant prayed for adjournment and the trial Court refused to grant adjournment.

I have considered the submissions made by the learned counsel for the petitioner.

I have decided to agree with the learned counsel for the petitioner that the petitioner should be given an opportunity to cross-examine the witness of the plaintiff's side. Therefore, the impugned order dated 19.12.2023 is set aside.

The present petitioner being the defendant shall be given an opportunity to cross-examine the witness of the plaintiff's side.

With the aforesaid directions, the revision petition stands disposed of.

JUDGE

Comparing Assistant