In the High Court of Punjab and Haryana at Chandigarh

CR No. 1747 of 2015
Date of decision: 12.03.2015

Satish Kumar and others .....Petitioners

Versus

Manphulli Devi and others .....Respondents

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr.Ashish Gupta,Advocate
for the petitioners.

--

SABINA, J

Petitioners have filed this petition challenging the order dated 20.1.2015 whereby evidence of the petitioners was closed.

Respondents No. 1 and 2 have filed the suit for declaration that they along with defendants No. 4 to 16 were entitled to receive pensionary benefits of deceased Nemi Chand from defendants No. 1 to 3.

Learned counsel for the petitioners has submitted that DW6 Pawan Kumar, DW7 Satish Kumar, DW8 Neena Rani and DW9 Kavita Rani had already been examined-in-chief and one opportunity may be granted to the petitioners to produce the said witnesses for cross-examination. Learned counsel for the petitioners has further submitted that now, the case is listed before the Trial Court for 16.3.2015 and the witnesses will be produced before the Court on

RAJ KUMARI BHALLA
2015.03.13 14:19
I attest to the accuracy and
authencity of this document
High Court

the said date for the purposes of their cross-examination.

In the present case, examination-in-chief of DW6 to DW9 has already been recorded. In case the said witnesses are not produced for cross-examination, their statements will not be read in evidence and petitioners will suffer an irreparable loss .

Keeping in view the facts and circumstances of the present case, this petition is allowed. Impugned order dated 20.1.2015 is set aside. Petitioners are permitted to produce DW6 Pawan Kumar, DW7 Satish Kumar, DW8 Neena Rani and DW9 Kavita Rani for the purposes of their cross-examination before the Trial Court on 16.3.2015 subject to payment of ₹ 10,000/- as costs. Costs be deposited with the District Legal Services Authority, Moga. Thereafter, the Trial Court shall proceed further with the trial in accordance with law.

(SABINA)
JUDGE

March 12,2015
arya

RAJ KUMARI BHALLA
2015.03.13 14:19
I attest to the accuracy and
authencity of this document
High Court