

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR No. 2665 of 2014 (O/M)
Date of decision : 1.9.2015

Samy Singh

..... Revisionist

Versus

Mona Yadav and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. S.K. Verma, Advocate, for the revisionist.

Ms. Rajni Bala, Advocate, for,
Mr. Gurinder Pal Singh, Advocate,
for respondents No. 1 and 2.

1. Whether the Reporters of local newspaper may be allowed to see the judgment ?
2. To be referred to the Reporter or not.
3. Whether the judgment should be reported in the digest ?

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KULDIP SINGH, J. (ORAL)

Impugned in the present revision is the order dated 22.3.2014 (Annexure-P-5), passed by the learned Civil Judge (Junior Division), Gurgaon, vide which PW1 and PW2 were partly examined and their cross was deferred as court time was over. Since it was last opportunity, the next date of hearing was fixed for cross examination of PW1 and PW2 only.

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According to the learned counsel for the revisionist that would mean that the revisionist will not be allowed to lead remaining evidence. It is further contended that on the direction of this Court, he filed review petition, which was disposed of on 17.4.2014, whereby the evidence of the plaintiff was closed by order and even PW1 and PW2, who were not produced due to misunderstanding on account of pendency of the revision before this Court, could not be cross examined. The only prayer of the learned counsel for the revisionist is that the revisionist may be granted only one opportunity to complete his evidence, subject to costs.

Keeping in view the facts and circumstances, the impugned orders dated 22.3.2014 and 17.4.2014 are set aside and the revisionist is granted only one opportunity to complete his evidence at his risk and responsibility, subject to costs of Rs. 10,000/-, payable to the opposite party. It is clarified that the plaintiff can take summons dasti, but the trial Court will not compel the appearance of any witness.

The present revision is accordingly allowed.

(KULDIP SINGH)
JUDGE

1.9.2015
sjks