

Civil Revision No.4243 of 2014
Civil Revision No.5392 of 2014

[1]

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

[234]

Civil Revision No.4243 of 2014
Date of Decision: 05.11.2015.

Nirmal Singh ...Petitioner

Versus

Manohar Lal and others ...Respondents

Civil Revision No.5392 of 2014
Date of Decision: 05.11.2015.

Gurpreet Singh ...Petitioner

Versus

Manohar Lal and others ...Respondents

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present: Mr. G.S. Sirphiki, Advocate,
for the petitioner.

Mr. R.D. Bawa, Advocate,
for the respondents.

1. *Whether Reporters of Local Newspapers may be allowed to see the judgment?*
2. *To be referred to the Reporters or not?*
3. *Whether the judgment should be reported in the Digest?*

KULDIP SINGH, J.(ORAL)

This order of mine will dispose of CR No.4243 of 2014 and CR No.5392 of 2014. For facility of reference of facts are being taken from CR No.4243 of 2014.

Impugned in the present revision petition is order dated 26.05.2014 passed by learned Additional Civil Judge, Senior Division,

Batala vide which re-examination of witness Jaipal, Deed Writer PW-2 was disallowed.

I have heard learned counsel for the parties and have also carefully gone through the file.

It comes out that in the case titled '*Amrik Singh Vs. Manohar Lal*', Jaipal Deed Writer PW-2 was examination-in-chief to prove the Sale Deed dated 15.03.2001. During cross-examination the defendant put another Sale Deed dated 27.09.1999 to the witness and proved the same along with some other documents. The plaintiff wanted to re-examine the witness regarding the said sale deed and documents which are part of the sale deed.

I am of the view that when some new documents have been put to the witness during cross-examination and these have come on record and have been duly exhibited, plaintiff has right to re-examine the witness regarding the said documents and thereafter the defendant is to be given opportunity to cross-examine the witness. If the re-examination is not allowed, the plaintiff will never get opportunity to rebut those documents which have been proved by his own witness.

It being so, the impugned order is set aside. The witness Jaipal, Deed Writer PW-2 is ordered to be re-examined. Thereafter, the opportunity of cross-examination shall be given to the opposite party.

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Since the present suit pertains to the year 2004, the trial Court is directed to dispose of the same expeditiously, preferably within next six months.

The present revisions stand allowed.

November 05, 2015
Ankur

(KULDIP SINGH)
JUDGE