

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA AT
CHANDIGARH

C.R. No.4864 of 2015

Date of Decision.04.08.2015

M/s Mohit Agency

.....Petitioner

Versus

Insta Power

.....Respondent

Present: Mr. Aditya Jain, Advocate
for the petitioner.

CORAM:HON'BLE MR. JUSTICE K. KANNAN

1. Whether Reporters of local papers 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?

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K. KANNAN J. (ORAL)

1. I do not think that there is any point for interference with an order that has allowed for a defendant who has caused an additional issue to be framed and permission sought for cross-examination of the plaintiff with reference to the issue which has been framed.

2. The counsel for the petitioner would argue that onus of proof is only on the defendant and no purpose will be served with the cross-examination of the plaintiff's witness. Even a defence which is taken by a defendant where the burden of proof is on the defendant, it will meet ends of justice to allow for the plaintiff to be confronted with. That would be an essential rule of justice when a defendant brings to Court a suggestion to the plaintiff of what his defence is. I do not think the plaintiff could, in any way, be prejudiced by the permission granted by the Court below.

3. I decline to make any intervention with the order passed by the Court below. The revision petition is dismissed.

(K. KANNAN)
JUDGE

August 04, 2015

Pankaj*