111 IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Civil Revision No.5164 of 2015
Date of Decision: August 14, 2015

Dharam Singh **.... Petitioner**

vs.

M/s Janta Trading Co. Commission Agents and another **.... Respondents**

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present: Mr. Ivneet Singh Pabla, Advocate for the petitioner.

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 is the revision directed against the order dated 04.08.2015 passed by Addl. Civil Judge (Sr. Divn.), Pehowa, vide which the evidence of the defendant was closed by order after granting six opportunities, out of which on three occasions last opportunity was granted. Even the cost of ₹100/- was imposed, which has not been deposited.

A perusal of the file shows that it is a money suit. The defenant wants to examine one DW R.V. Vashishat, handwriting and fingerprints examiner and Forensic document expert. On the last date of hearing, report of said witness was not produced. The lower court while considering that six opportunities had already been granted to the defendant to conclude his evidence, closed his evidence by order.

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Learned counsel for the petitioner has placed on file the copy of the report of the handwriting and fingerprints expert on file as Annexure P-3 and seeks only one opportunity to examine the said witness.

In view of the matter, the impugned order is set aside and the present petitioner is granted only one opportunity to examine the said expert subject to payment of costs of ₹10,000/- payable to the opposite party, which will also include the costs of ₹100/- imposed by the lower court.

The copy of the report (Annexure P-3) will be supplied to the opposite counsel before the lower court at least two weeks prior to the date fixed before the lower court so that the witness can be effectively cross-examined on the said date.

The present revision petition is allowed at the motion stage.

(KULDIP SINGH)
JUDGE

August 14, 2015
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