

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR No. 7369 of 2015 (O/M)
Date of decision : 4.11.2015

Lachman Singh and others

..... Revisionists

Versus

Takhur Singh and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Shekhar Kumar, Advocate, for the revisionists.

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 6.8.2015 (Annexure-P-1), passed by the learned Additional Civil Judge (Senior Division), Nihal Singh Wala, District Moga, vide which the lower Court treated the cross examination of the plaintiffs' witnesses as Nil and it held that the defendants are not interested in cross examining the witnesses.

I have heard the learned counsel for the revisionists and have also gone through the impugned order.

It comes out that the case was two years old. Three witnesses, namely, Sukhdev Singh, Ram Singh and Lal Singh, were present, but the counsel for the defendants, who is apparently practicing at Moga, sought adjournment on the ground that he has

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got some urgent work. Apparently, he wanted to leave for Moga where he had some other engagement. When the request was declined, the counsel left the Court without any intimation, with the result that the Court was left with no option, but to treat the cross examination of witnesses as Nil.

The learned counsel for the revisionists contends that due to conduct of the counsel, the party will suffer. It has been assured to this Court that such conduct will not be repeated in future.

Keeping in view the fact that due to the conduct of the counsel, the defendants will materially suffer, the defendants are allowed one more opportunity to cross examine the said witnesses, subject to payment of Rs. 10,000/- as costs, to be deposited in the District Legal Aid Fund, Moga. It is made clear that if such conduct is repeated by counsel, a serious view will be taken.

The revision is accordingly allowed in the above-noted extent.

(KULDIP SINGH)
JUDGE

4.11.2015
sjks