

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

**CR No.7605 of 2015
Date of decision: 16.11.2015**

Sohan Singh

....Petitioner

Versus

Surinderpal Singh

....Respondent

CORAM: HON'BLE MRS. JUSTICE RITU BAHRI

Present: Mr. Bhrigu Dutt Sharma, Advocate
for the petitioner.

RITU BAHRI J. (Oral)

The petitioner/defendant has come up in revision for setting-aside the order dated 17.08.2015, passed by the Civil Judge (Sr. Division), Jalandhar, whereby cross-examination of PW-1, namely, Pinderpal Singh has been treated as "NIL".

A perusal of the impugned order dated 17.08.2015, shows that cross-examination of PW-1, namely, Pinderpal Singh has been treated as "NIL" with the observation that counsel for the defendant has not appeared to cross-examine the witness despite repeated calls. PW-2 was also present on that day for his cross-examination, but the case was adjourned for 09.09.2015 for cross-examination of PW-2. On 09.09.2015, PW-2, namely, Rakesh

Gupta was cross-examined and the matter was again fixed for 28.09.2015, for plaintiff's evidence. Learned counsel for the petitioner-defendant submits that the case is still fixed for plaintiff's evidence for 17.11.2015.

Keeping in view the fact that only one witness i.e. PW-1-Pinderpal Singh is required to be cross-examined, the present revision petition is allowed and the order dated 17.08.2015, passed by the Civil Judge (Sr. Division), Jalandhar, is hereby set-aside and one effective opportunity is being granted to the petitioner/defendant to cross-examine the aforesaid witness, subject to payment of cost of Rs.2,000/- to be paid to the opposite party.

(RITU BAHRI)
JUDGE

16.11.2015

yakub