

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

Civil Revision No.7899 of 2013

Date of decision:30.03.2015

Saroop Singh

... Petitioner

versus

Harjit Singh Bhullar and another

.... Respondents

CORAM: HON'BLE MR. JUSTICE K. KANNAN

Present: Mr. Ramesh Sharma, Advocate,
for the petitioner.

Mr.Avtar S. Khinda, Advocate,
for respondent No.2.

1. Whether reporters of local papers may be allowed to see the judgment ? No.
2. To be referred to the reporters or not ?No.
3. Whether the judgment should be reported in the digest ? No.

K.Kannan, J. (Oral)

1. The first defendant, who did not avail to himself the opportunity to cross-examine the witness produced by the co-defendant, is before the court to complain after the side was closed as Nil cross-examination and that one more opportunity must be given. The court has observed that on the same day, the first defendant examined two official witnesses produced by the second defendant but made himself scarce without letting the court know whether he was examining other witnesses or not. I find the conduct of the first defendant to be strange but for the indiscretion

of making himself unavailable, he will pay ₹10,000/- as costs to the 2nd defendant within a period of 2 weeks. The impugned order is set aside and the first defendant will be given opportunity to cross-examine the witnesses tendered by the second defendant. His contention is that the second defendant is colluding with the plaintiff. The plaintiff shall be allowed the cross-examination of the second defendant's witnesses before the first defendant is made to cross-examine. If the cost is not paid as directed, the opportunity given through this order shall be treated as withdrawn and the order passed by the court already shall stand restored.

2. The civil revision is allowed on the above terms.

(K.KANNAN)
JUDGE

30.03.2015
sanjeev