

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CR No.8093 of 2015(O&M)
Date of decision: 01.12.2015

M/s Tuli Chappal Store and another

... Petitioners

Versus

Mohinder Singh

... Respondent

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. Anil Chawla, Advocate for the petitioners.

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?

ARUN PALLI J. (Oral)

Vide order being assailed, dated 28.10.2015, rendered by Civil Judge (Jr. Divn.), Amritsar, application moved by the landlord-respondent, to recall the order dated 06.08.2014, vide which the cross-examination of petitioners' witnesses i.e. RW1 to RW5 was declared as Nil, had since been accepted and the landlord-respondent was granted two opportunities to cross-examine the said witnesses, subject to costs of ₹ 1,000/-. Records show that the respondent has been pursuing the matter in right earnest and the petitioners had availed few opportunities to conclude their evidence. In fact, on 08.07.2014, no witness of the petitioners was present and the matter was adjourned on the request of counsel for the petitioners to 06.08.2014. And, it was on the said date, cross-

examination of RW1 to RW5 was declared as Nil. Undoubtedly, respondent has been remiss in pursuing his cause, but as observed even by the Rent Controller, in case he is not granted an effective opportunity to cross-examine the witnesses of the petitioners i.e. RW1 to RW5, he would not only suffer an incalculable loss but that might result in miscarriage of justice.

Learned counsel for the petitioners could not point out as to how the discretion exercised by the Rent Controller suffers from any material illegality.

That being so, no ground is made out to interfere with the order being assailed, in exercise of revisional jurisdiction. Petition being devoid of merit is accordingly dismissed.

December 1, 2015
Rajan

(Arun Palli)
Judge