

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

Civil Revision No.8159 of 2015 (O&M)

Date of decision: 03.12.2015

Rajinder Singh

.....Petitioner

Versus

Kulwant Kaur and others

.....Respondents

CORAM:HON'BLE MS. JUSTICE RITU BAHRI

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

Ritu Bahri, J.

Challenge in this petition is to the order dated 15.09.2015 (Annexure P-1) passed by the Civil Judge (Junior Division), Nakodar, whereby cross-examination of witnesses of the plaintiffs-respondents has been ordered to be treated as 'nil'.

Perusal of the zimni orders, reproduced in the revision petition, shows that on 09.07.2015 no witness of the plaintiffs-respondent Nos. 1 and 2 was present in the Court. On the request of counsel for the plaintiffs, case was adjourned to 15.09.2015 for conclusion of entire evidence. However, on 15.09.2015 the defendants could not cross-examine the witnesses of the plaintiffs and due to this reason, cross-examination of witnesses of the plaintiffs was treated as 'nil'. There seems to be no intention on the part of the defendant-petitioner to delay the proceedings of trial.

In the given circumstances of the case, to impart complete justice to the parties and also to avoid deprivation of full opportunity to the petitioner, this Court deems it appropriate to provide one last opportunity to

the defendant-petitioner to cross-examine witnesses of the plaintiffs.

In view of the above, the impugned order dated 15.09.2015 (Annexure P-1) is set aside and one effective opportunity is granted to the defendant-petitioner to cross-examine witnesses namely Kulwant Kaur and Pritam Singh, subject to costs of Rs.3000/- to be paid to the plaintiffs.

Allowed accordingly.

03.12.2015
ajp

(RITU BAHRI)
JUDGE