

CR-8122-2014 (O&M)

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

**CR-8122-2014 (O&M).
Decided on: March 23, 2015.**

Yadwinder Singh through LRs and another

..... Petitioner(s)

Versus

Surat Singh and others

..... Respondent(s)

*** * ***

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

**PRESENT Mr.Anil Chawla, Advocate,
for the petitioners.**

**Mr.Varun Sharma, Advocate,
for the respondents.**

M.M.S. BEDI, J (ORAL)

This is defendant's revision petition against the order dated 5.11.2014 treating the cross-examination of plaintiff-respondent PW.1 Surat Singh as 'Nil'.

It is observed in the order that the counsel for the defendant has not cross-examined PW.1 despite having been given opportunity. A perusal of the impugned order indicates that the evidence of the plaintiffs has been closed by order as 22 opportunities had been given to conclude the evidence. The plaintiffs have not challenged the order of closing of evidence.

I have heard the counsel for the parties and gone through the facts and circumstances of the case. In the interest of

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justice, the defendant-petitioner is granted one opportunity to cross-examination PW.1 subject to payment of costs of Rs.1,000/- (Rupees One Thousand Only) which will be paid in the Court on next date of hearing fixed before the trial Court. The trial Court shall fix a date for appearance of PW.1 Surat Singh. The defendant- petitioner will be given an opportunity to cross-examine the plaintiff on the date fixed. It is ordered that in case the costs is not paid or the counsel for the defendant fails to cross-examine the plaintiff on the date fixed, this petition will be deemed to have been dismissed. In case for any reason, the plaintiff avoids to appear on the date fixed, the trial Court would be entitled to give him one more opportunity subject to payment of costs of Rs.1,000/- (Rupees One Thousand Only).

March 23, 2015.
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(M.M.S. BEDI)
JUDGE