

244.

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

Civil Revision No.8485 of 2014

Date of decision:01.12.2015

Arun Narka

.... Petitioner

versus

Surinder Kumar

.... Respondent

CORAM: HON'BLE MR. JUSTICE K. KANNAN

Present: Mr. Sanjeev Gupta, Advocate and Mr. Manoj Sharma,
Advocate, for Mr. P.K. Kukreja, Advocate,
for the petitioner.

None for the respondent.

K.Kannan, J. (*Oral*)

1. The petitioner is aggrieved that the Commissioner has filed report without recording the evidence elicited in the cross-examination and making it appear as though he was not present before him.

2. I will not join issue of whether he was present or not, but in the interest of justice, I will allow the benefit of evidence recorded by the Commissioner to be reopened only to enable the petitioner to cross-examine the witnesses in respect of which he has already held that the petitioner was not present. The evidence shall be recorded expeditiously and returned to the court. The court shall

issue a warrant afresh for completion of the work entrusted to him.

The court will be at liberty to redetermine any remuneration if there is any such warrant or the Commissioner makes such plea.

3. The order impugned is set aside and the revision petition is allowed to the above extent.

(K.KANNAN)
JUDGE

01.12.2015
sanjeev