

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

CR No.292 of 2016

Date of decision : 18.01.2016

Gulab Singh

...Petitioner

Versus

Presiding Officer, Industrial Tribunal cum Labour Court-I, Faridabad and
another

...Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL.

1. Whether reporters of local newspapers may be allowed to see judgment ?
2. To be referred to reporters or not ?
3. Whether the judgment should be reported in the Digest ?

Present: Mr. Shiv Kumar, Advocate for the petitioner

AMIT RAWAL, J. (Oral)

Prayer in the present revision petition is for setting aside of the order dated 16.12.2015, whereby cross-examination of the Management witness at the behest of the claimants, has been declined.

Mr. Shiv Kumar, learned counsel appearing on behalf of Workman submits, that in case one opportunity is granted, his client or his representatives shall cross-examined the witness of the respondent, failing which, it will render manifest in justice which cannot be compensated in terms of money, much less, it would be far reach to the consequence in the adjudication of the claim petition.

I have heard learned counsel for the petitioner and appraised the paper book and also noticed the impugned order.

No doubt many opportunities have been given to cross-examine the management witness but owing to the fault of lawyer of the claimant, Management witness could not be cross-examined. It is settled law that for the fault of the lawyer, parties should not suffer.

In order to render justice to the parties to the lis, I deem it appropriate to grant one opportunity to the petitioner to cross-examine the management witness on the date fixed i.e. date notified by the Labour Court.

Accordingly, impugned order dated 16.12.2015, declining opportunity to cross-examine the management witness, is hereby set aside.

It has been brought to the notice of this Court that next date of hearing is 19.01.2016 i.e. for evidence of the workman. Let the workman render his evidence. The cross-examination shall be done only when the workman complete his evidence.

Revision petition stands allowed.

18.01.2016

pawan

**(AMIT RAWAL)
JUDGE**