

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

CR No.3311 of 2016

Date of decision : 09.05.2016

Harishwar Sharma and others

...Petitioners

Versus

Raj Madan

...Respondent

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. H.P.S. Kochhar, Advocate for the petitioners.

AMIT RAWAL, J. (Oral)

Learned counsel for the petitioners seeks indulgence of this Court for cross-examination of PW1 and PW2 whose cross-examination has been treated as nil on the ground that counsel did not appear. He further submits that parties could not be made to suffer on the lapse of the counsel. However, on the adjourned date, i.e. on 12.04.2016, case was adjourned for cross-examination of the remaining PWs, for which cross-examination of other witnesses except PW1 and PW2 has been done. Valuable right will be taken away in case cross-examination of PW1 and PW2 has not been done.

In order to prevent mis-carriage of justice and to render justice, I deem it appropriate to grant one opportunity to the petitioner to cross-examine the witnesses i.e. PW1 and PW2 as petitioner should not be made to suffer on

the lapse of the counsel who did not cross-examine the witness.

However, liberty is granted to cross-examine PW1 and PW2, subject to the payment of cost of ₹5000/-.

He further submits that date of impugned order in the present revision petition has wrongly been typed as 05.03.2016, whereas it is 15.03.2016.

Accordingly, impugned order dated 15.03.2016, is hereby set aside.

One opportunity is granted to the petitioner to cross-examine PW1 and PW2, subject to the cost aforementioned. Payment of the cost shall be condition precedent.

With the aforementioned direction, revision petition stands allowed.

09.05.2016

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**(AMIT RAWAL)
JUDGE**