

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

**CIVIL REVISION NO.3776-2016
DATE OF DECISION: 28.05.2016**

Jaswant Singh and others Petitioners

Vs.

Sampuran Singh Respondent

CORAM HON'BLE MR. JUSTICE AMOL RATTAN SINGH

**Present: Mr. Ramneek Vasudev, Advocate
 for the petitioners.**

AMOL RATTAN SINGH, J (ORAL)

Learned counsel for the petitioners submits that as a matter of fact, on 06.04.2016, the Local Commissioner recording the testimony had deferred further cross examination of DW4 Ranbir Singh and pursuant to that the learned Civil Judge (Junior Division), Rupnagar, had bound down the said witness for 04.05.2016, as the cross examination had been deferred for want of record.

Learned counsel submits that on that very date, since the counsel for the defendants had sought an adjournment, allegedly as no record was available, the evidence of the defendants was closed by order, in view of the statement earlier made by the same counsel on 10.02.2016, undertaking to conclude the entire evidence on the next date of hearing.

Whereas I see no error in the order of the learned Civil Judge (Junior Division), Rupnagar, dated 04.05.2016, in view of the earlier statement made, however, since the learned counsel submits that the record that was

different litigation and he may be granted only one opportunity to produce the same and to conclude the examination of DW4, with no more witnesses to be examined, the petition is allowed subject to payment of costs of Rs.5,000/-. One opportunity to conclude the cross examination of DW4 be granted, to be concluded prior to the date already fixed for hearing of the suit, i.e 11.07.2016. An appropriate application shall be moved by the petitioners within this week, prior to closure of the District Courts for the summer break.

A copy of this order be given to the learned counsel for the petitioners under the signatures of Court Secretary of this Bench.

May 28, 2016
mamta

(Amol Rattan Singh)
Judge