

121 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR-3831-2016(O&M)

Date of decision : 30.05.2016

SUNIL SINGLA

..... PETITIONER

VERSUS

KULWANT SINGH AND ANR

..... RESPONDENTS

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Sachin Gupta, Advocate
for the petitioner.

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

AJAY TEWARI, J. (Oral)

This petition has been filed against the order permitting the respondents to present Jatinder Singh for his cross-examination.

Learned counsel for the petitioner has argued that the application for permission to lead additional evidence was filed at the far end of the case when even part arguments had been heard and by summoning Jatinder Singh the respondents want to fill up the lacuna in their evidence. The trial Court has found that an affidavit dated 08.01.2014 had been filed by said Jatinder Singh. Thereafter the matter was adjourned on various dates but neither Jatinder Singh appeared to face cross examination nor any order was passed in this regard. It was thereafter that the application was moved that this had happened on an inadvertent oversight. After hearing the parties the judicial conscience of the Rent Controller was

satisfied that in fact the non-appearance of Jatinder Singh for cross-examination was an inadvertent mistake and, since the affidavit was already on the record, it was not a case where a lacuna was sought to be filled up. It was in those circumstances that the Rent Controller allowed the application. The order does not suffer from such irregularity as to be liable for interference in the revisional jurisdiction.

Petition is dismissed.

Since the main case has been decided, the Civil Misc.

Application, if any, also stands disposed of.

May 30, 2016
sunita

(AJAY TEWARI)
JUDGE