

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

CR No. 4188 of 2016 (O&M)
Date of decision:-03.08.2016

Ashok Jindal

.....Petitioner

Versus

Ramesh Kumar

.....Respondent

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Vikas Mehsempuri, Advocate,
for the petitioner.

Mr. Deepak Aggarwal, Advocate,
for the respondent.

AUGUSTINE GEORGE MASIH, J. (ORAL)

CM No.13042-CII of 2016

CM is allowed as prayed for.

CR No. 4188 of 2016

Prayer in this revision petition is for setting aside the order dated 19.05.2016 (Annexure P-3) passed by the learned Rent Controller, Nabha, whereby the petitioner having not cross-examined RW-1, it was order to be deemed to be treated as nil.

It is the contention of learned counsel for the petitioner that one opportunity may be granted to the petitioner to cross-examine RW-1, Ramesh Kumar. He states that in case he is unable to cross-examine the said witness on the date which is fixed for hearing after 04.08.2016, the order dated 19.05.2016 may be made operational.

Counsel for the respondent although has opposed the prayer made by learned counsel for the petitioner but keeping in view the facts and

circumstances of the present case, the prayer made by learned counsel for the petitioner is accepted. The petitioner is granted one opportunity to cross-examine RW-1, Ramesh Kumar on a date to be fixed by the Rent Controller after 04.08.2016, subject to payment of ₹10,000/- as costs to the respondent. In case the petitioner fails to cross-examine RW- 1 on the date fixed, the order dated 19.05.2016 shall be deemed to be operational.

With these observations, the present revision petition stands disposed of.

Copy of the order be given *dasti* under signatures of the Bench Secretary of this Court to the counsel for the parties.

(AUGUSTINE GEORGE MASIH)
JUDGE

03.08.2016

PA

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No