

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

CR-4354-2015 (O&M)

Date of decision : 11.04.2016

Jeet Kumar @ Jit Kumar

..... Petitioner

versus

Suresh Kumar and another

..... Respondents

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. Pranav Handa, Advocate
for the petitioner.

Mr. Naveen Sharma, Advocate
for the respondents.

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 dated 20.11.2014 whereby the cross-examination of the witnesses produced by the respondents was treated to be nil at the hands of the petitioner-tenant. Thereafter the petitioner-tenant filed an application for recalling that order and the same has also been rejected by the second impugned order dated 04.05.2015.

Learned counsel for the respondents points out that in this case the examination-in-chief was conducted almost 2 years ago and by adopting one stratagem or the other the petitioner-tenant has succeeded in obstructing the progress of the rent petition and has not even paid the arrears of rent for the last 1 ½ years.

Learned counsel for the petitioner-tenant is not in a position to deny this factual assertion that the examination-in-chief was conducted in July, 2013.

Be that as it may, in my opinion, the interest of justice would be served by giving the petitioner one opportunity to cross-examine two witnesses with respect to whom his cross-examination was treated as nil.

Learned counsel for the respondents undertakes to produce the said two witnesses on the next date of hearing and the petitioner would be permitted to cross-examine them subject to costs of Rs.25,000/- and making the payment of arrears of rent up-to-date.

The petition is allowed and the impugned orders are set aside in the above terms.

Since the main case has been decided, the pending civil miscellaneous application, if any, also stands disposed of.

April 11, 2016

Pooja sharma-I

**(AJAY TEWARI)
JUDGE**