

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CR No.6111 of 2016 (O&M)

Date of decision:19.09.2016

Gurdeep Kaur

... Petitioner

Vs.

Shinderpal Kaur @ Shinder Kaur and others

... Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present:- Mr. B.S.Baath, Advocate
for the petitioner.

AMIT RAWAL J. (Oral)

Petitioner-defendant No.2 is aggrieved of the impugned order dated 17.08.2016 (Annexure P-10), whereby, her application for summoning PW1 for re-cross examination, has been dismissed.

Mr. B.S.Baath, learned counsel appearing on behalf of the petitioner/defendant No.2 submits that re-cross examination of PW1 is essential and necessary for adjudication of the lis as certain documents and revenue record are required to be confronted and brought on record. Though the trial Court had given a passing reference, but this could have been done by the petitioner while leading evidence in affirmative, therefore, urges this Court that at least permission may be granted to place on record certain documents by way of additional evidence.

I have heard learned counsel for the petitioner and appraised the paper book and of the view that there is no force and merit in the

submission of Mr. Baath, for, PW1 was subjected to cross examination w.e.f. 22.11.2006 to 21.05.2009. No explanation has come forth in the application as to why these documents were not confronted, much less, evidence of the petitioner was closed on 05.04.2012. Even during that stage, the documents could have been brought on record in affirmative. By making assertion and allegation in the application by putting a blame on the lawyer is totally atrocious and uncalled for. In my view, such blame game is an act of aberration.

For the aforementioned reasons, I do not intend to differ with the findings rendered in the impugned order, much less, the same cannot be said to have been passed without jurisdiction.

Accordingly, the revision petition stands dismissed.

(AMIT RAWAL)
JUDGE

September 19, 2016
savita

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No