

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

CR No. 6435 of 2016

Date of decision : 23.11.2016

Gaurav Maini

...Petitioner

V/s

Neena Maini

...Respondent

BEFORE : HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Arpan Sabharwal, Advocate for the petitioner.

RAJAN GUPTA J.

Challenge is to order dated 20.07.2016 passed by trial court whereby evidence of PW1 was treated as Nil. It appears that suit for recovery was filed by plaintiff-respondent against the petitioner-defendant. PW1 namely Raj Kishore Maini appeared before the court and filed his affidavit as examination in chief. He thereafter appeared before the court on several dates but was not cross-examined by the defendant-petitioner on one pretext or the other. It appears that conduct of the defendant-petitioner is not above board. However, purely in the interest of justice, one more opportunity is granted to the defendant-petitioner to cross-examine PW1 Raj Kishore Maini so that trial can make further progress. This court is conscious of the fact that order is being passed without any notice to the plaintiff-respondent. However, she is being compensated with the reasonable costs. Petitioner-defendant shall pay ₹6,000/- as costs to be remitted to the plaintiff-respondent on the next date of hearing.

Petition is allowed in these terms.

November 23, 2016

(RAJAN GUPTA)
JUDGE

Ajay

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No