

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

C.R. No.8751 of 2016

Date of Decision.23.12.2016

Manjit Singh and another

.....Petitioners

Vs

Charanjit Kaur and others

.....Respondents

Present: Mr. Jagraj Singh Khiva, Advocate
for the petitioners.

CORAM:HON'BLE MR. JUSTICE AMIT RAWAL

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AMIT RAWAL J. (ORAL)

The petitioners-plaintiffs are aggrieved of the impugned order dated 22.11.2016, whereby, cross-examination of DW-1 has been treated 'nil'.

Mr. Jagraj Singh Khiva, learned counsel appearing for the petitioners submits that in case, one opportunity is granted, he will conclude the cross-examination of DW-1.

I have heard the counsel for the petitioners-plaintiffs and appraised the paper book and of the view that no doubt, the petitioners-plaintiffs were negligent in concluding the evidence. However, in order to advance justice and prevent miscarriage of justice, I deem it appropriate to grant one effective opportunity to the petitioners to conclude the evidence.

Keeping in view the aforementioned observations, the impugned order is set aside and the petitioners-plaintiffs shall conclude the cross-examination of DW1 in accordance with law subject to payment of costs of ₹2500/- which shall be condition precedent. If the costs is not paid as directed, the order passed already by the court below shall stand restored.

The impugned order is set aside and the revision petition is allowed.

(AMIT RAWAL)
JUDGE

December 23, 2016
Pankaj*

Whether speaking/reasoned	Yes
Whether reportable	No