

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Civil Revision No.1325 of 2017
Date of decision: March 07, 2017

M/S CAMPBELL INTERNATIONAL

....PETITIONER...

VS.

M/S M.M. FORGING AND OTHERS

....RESPONDENTS...

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. G.S. Jagpal, Advocate,
for the petitioner.

JASPAL SINGH, J.

Challenge in this revision petition is to the order dated 02.11.2016 (Annexure P-2) passed by Civil Judge (Junior Division), Ludhiana in Civil Suit No. 1837 of 2014, titled as “*M/s Campbell International vs. M/s MM Forging etc.*”, whereby evidence of the petitioner-plaintiff has been closed by the orders of the court.

2. No doubt, ample opportunity has been afforded by the trial court to the petitioner-plaintiff to adduce and conclude its evidence but a close scrutiny of the various interim orders reveals that the affidavits of PW-1 and PW-2 are already on record. However, on account of one or the other reasons, they could not cross-examined. The evidence of PW-1 and PW-2 appears to be the basic foundation of the entire case of the petitioner-plaintiff. Thus, this Court is of the considered view that it would be in the interest of the parties that they should be examined as a witness. Other party can be compensated by way of cost and no

prejudice is going to be caused to them.

3. Thus, without expressing any opinion with regard to the legality or illegality of the impugned order dated 02.11.2016 (Annexure P-2) passed by ld. trial court, instant petition is disposed of with the direction to the trial court to provide two effective opportunities to the petitioner-plaintiff for their cross-examination only and documents, if any, but subject to payment of ₹25,000/- as costs. Out of this amount, a sum of ₹10,000/- will be paid to the respondents-defendants whereas the balance amount of ₹15,000/- shall be deposited in the account of District Legal Services Authority, Ludhiana.

March 07, 2017
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned:	Yes
Whether reportable:	Yes/No